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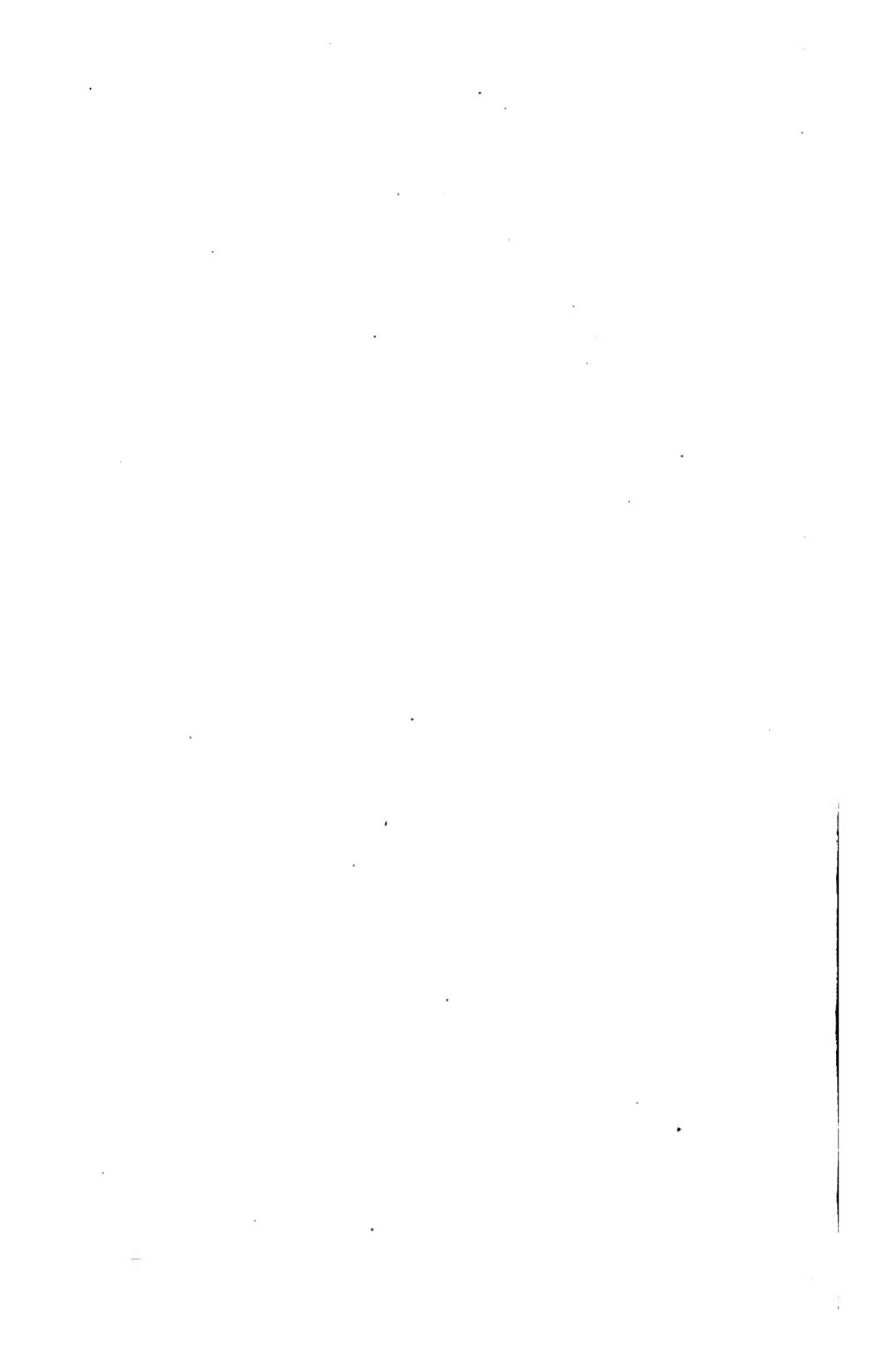
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SELECT ORATIONS

OF

LYSIAS.

EDITED BY

JAMES MORRIS WHITON, PH.D.

AUTHOR OF "FIRST LESSONS IN GREEK," ETC.

SECOND EDITION.

BOSTON, U.S.A.:

PUBLISHED BY GINN & COMPANY.

1892.

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PREFACE.

THAT the writings of Lysias have hitherto been so little used by American students must be due rather to the lack of American editions,—though of German editions there is no lack. Certainly it is not attributable to any inferiority, either in merit of style or in interest of subject, in those specimens of his numerous orations which have come down to us. Such was his ancient fame, that nearly twice as many orations as he actually composed were ascribed to him. The large number of two hundred and thirty orations was accepted by the ancient critics as genuinely his, of which there are now extant only thirty-four, not all either complete or indisputably genuine, and a still larger number of fragments.

As a representative of the purest Attic style, Lysias has no superior. Among the ancients he was regarded as a model of that quality called *ιωχύσις*, or *tenuitas*,—for which see *Biographical Introduction*. He was also highly esteemed for a certain gracefulness of expression, which was regarded as a characteristic peculiarly his. At the same time, he showed no lack of energy, as Cicero observes: “In Lysia sœpe sunt etiam lacerti sic ut fieri nihil possit valentius.” (*Brutus*, 16, 64.) In general, his style may be further characterized as clear, sufficient and precise; always natural and appropriate;

at once simple and dignified ; not devoid of rhetorical ornament, and yet carefully subordinating it to the orator's practical purpose. The tradition that only two of all the orations which he composed for others were unsuccessful, whether exaggerated or not, marks the height of the fame which he attained among the orators of Athens, and harmonizes with the exalted praise which Cicero himself bestows : “ Tum fuit Lysias, ipse quidem in causis forensibus non versatus, sed egregie subtilis scriptor atque elegans, quem jam probe audeas oratorem perfectum dicere.” (*Brutus*, 9, 35.)

The orations comprised in this edition were all composed within the ten years subsequent to the expulsion of the Thirty Tyrants from Athens, B. C. 403. While they all bear the marks of their times, the oration against Eratosthenes, in particular, abounds in references to that painfully interesting portion of the history of Athens, which exhibits her imperial democracy, exhausted, despoiled, and bleeding, in its humiliating decline and pitiable overthrow. A special interest attaches to this oration, also, from its being the only one of all the extant number which Lysias delivered himself,—the others having been composed for his clients to deliver from memory in pleading their own cases before various tribunals.

For a sketch of Lysias's life and professional work, see the *Biographical Introduction*.

The text of this edition is substantially that of Dr. R. Rauchenstein's sixth edition, Berlin, 1872. Where any variation occurs, suitable reference is made in the Notes. A table of various readings has been added. In the preparation of the Notes free use has been made of the notes of Rauchenstein, and, to some extent, of the notes of Frohberger, in his first and third volumes, Leipsic, 1866 and 1871. For a large part of the annotations, however, the present editor is alone

responsible. Geographical, historical, and archæological points have been treated, it is hoped, comprehensively enough to meet the necessities of those students who are not supplied with the more costly works for reference, and yet not so minutely as to make such further reference undesirable. For the benefit of those who, in an earlier part of their course, have used Goodwin's *Greek Reader*, occasional references are made to that book, as containing extracts from Xenophon's *Hellenica* covering the same part of Athenian history as the Oration against Eratosthenes. Grammatical references have been made to Goodwin's *Greek Grammar*, third edition (G.), Hadley's (larger) *Greek Grammar* (H.), and to Goodwin's *Greek Moods and Tenses*, sixth edition, revised (G.), the last named of which is by no means to be supposed unnecessary to the possessor of either or both of the other two. As to other references, some citations have been made from Buttmann's *University Grammar*, Harper's Ed., also from Grote's *History of Greece*, Harper's Ed., 12 vols., and from Curtius's *History of Greece*, Scribner's Ed., 5 vols.

The editor's grateful acknowledgments are due to his friends, Dr. Lewis R. Packard, Professor of Greek at Yale, and Mr. John Williams White, Tutor in Greek at Harvard, for their valuable suggestions in the undertaking and execution of the work.

LYNN, September, 1875.

NOTE TO THE SECOND EDITION.

THE essay made by the first edition of these Selections, to add Lysias to the list of Greek authors adapted to the use of American college students, has been approved by the absorption of an unusually large imprint in a comparatively brief time. A new imprint being called for, a few corrections have been made for this edition. I desire to acknowledge the kindness of friends in contributing to these corrections, especially of Professors Goodwin and White of Harvard, Fernald of Williams, and Packard of Yale.

NEWARK, N.J., June, 1881.

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ΛΤΣΙΑΣ.

XVI.

ΕΝ ΒΟΤΛΗΙ

ΜΑΝΤΙΘΕΩΙ ΔΟΚΙΜΑΖΟΜΕΝΩΙ ΑΠΟΛΟΓΙΑ.

Ει μὴ συνήδειν, ὡς βουλή, τοῖς κατηγόροις βουλομένοις ἐκ παντὸς τρόπου κακῶς ἐμὲ ποιεῖν, πολλὴν ἀν αὐτοῖς χάριν εἶχον ταύτης τῆς κατηγορίας· ἡγούματι γὰρ τοῖς ἀδίκως διαβεβλημένοις τούτους εἶναι μεγίστων ἀγαθῶν αἰτίους, οἵτινες ἀν αὐτοὺς ἀναγκάζωσιν εἰς ἔλεγχον τῶν αὐτοῖς βεβιωμένων κατιστῆναι. ἐγὼ γὰρ οὕτω σφόδρα ἐμαυτῷ πιστεύω, ὅστ’ ἐλπίζω καὶ εἴ τις πρός με τυγχάνει ἀηδῶς [ἢ κακῶς] διακείμενος, ἐπειδὰν ἐμοῦ λέγοντος ἀκούση περὶ τῶν πεπραγμένων, μεταμελήσειν αὐτῷ καὶ πολὺ βελτίω με εἰς τὸν λοιπὸν χρόνον ἡγήσεσθαι. ἀξιῶ δέ, ὡς βουλή, ἐὰν μὲν τοῦτο οὐ μόνον ὑμῖν ἀποδείξω. ὡς εὖνοις εἰμὶ τοῖς καθεστηκόσι πράγμασι καὶ ὡς ἡνάγκασμα τῶν αὐτῶν κινδύνων μετέχειν ὑμῖν, μηδέν πω μοι πλέον εἶναι· ἐὰν δὲ φαίνωματι καὶ περὶ τὰ ἄλλα μετρίως βεβιωκὼς καὶ πολὺ

παρὰ τὴν δόξαν καὶ παρὰ τοὺς λόγους τοὺς τῶν ἐχθρῶν, δέομαι ὑμῶν ἐμὲ μὲν δοκιμάζειν, τούτους δὲ ἡγεῖσθαι χείρους εἶναι. πρῶτον δὲ ἀποδείξω ὡς οὐχ ἵππευον [οὗτ' ἐπεδήμουν] ἐπὶ τῶν τριάκοντα, οὐδὲ μετέσχον τῆς τότε πολιτείας. .

4. Ἡμᾶς γὰρ ὁ πατὴρ πρὸ τῆς ἐν Ἑλλησπόντῳ συμφορᾶς ὡς Σάτυρου τὸν ἐν τῷ Πόντῳ διαιτησομένους ἔξεπεμψε, καὶ οὕτε τῶν τειχῶν καθαιρουμένων ἐπεδήμουν οὕτε μεθισταμένης τῆς πολιτείας, ἀλλ' ἥλθομεν πρὶν τοὺς ἀπὸ Φυλῆς εἰς τὸν Πειραιᾶ κατελθεῖν πρός τερον πένθ' ἡμέραις. καίτοι οὕτε ἡμᾶς εἰκὸς ἦν εἰς τοιοῦτον καιρὸν ἀφιγμένους ἐπιθυμεῖν μετέχειν τῶν ἀλλοτρίων κινδύνων, οὗτ' ἐκεῖνοι φαίνονται τοιαύτην γνώμην ἔχοντες ὥστε καὶ τοῖς ἀποδημοῦσι καὶ μηδὲν ἔξαμαρτάνονται μεταδιδόναι τῆς πολιτείας, ἀλλὰ μᾶλλον ἡτίμαζον καὶ τοὺς συγκαταλύσαντας τὸν δῆμον.

6. Ἐπειτα δὲ ἐκ μὲν τοῦ σανδίου τοὺς ἵππεύσαντας σκοπεῖν εὐηθές ἐστιν. ἐν τούτῳ γὰρ πολλοὶ μὲν τῶν ὁμολογούντων ἵππεύειν οὐκ ἔνεισιν, ἔνιοι δὲ τῶν ἀποδημούντων ἐγγεγραμμένοι εἰσίν. ἐκεῖνος δ' ἐστὶν ἔλεγχος μέγιστος. ἐπειδὴ γὰρ κατήλθετε, ἐψηφίσασθε τοὺς φυλάρχους ἀπενεγκεῖν τοὺς ἵππεύσαντας, ἵνα τὰς καταστάσεις ἀναπράξητε παρ' αὐτῶν. ἐμὲ τοίνυν οὐδεὶς ἀν ἀποδείξειεν οὗτ' ἀπεινεχθέντα ὑπὸ τῶν φυλάρχων οὕτε παραδοθέντα τοῖς συνδίκοις [οὕτε κατάστασιν καταβαλόντα]. καίτοι πᾶσι ῥάδιον τοῦτο γνῶναι, ὅτι ἀναγκαῖον ἦν τοῖς φυλάρχοις, εἰ μὴ ἀποδείξειαν τοὺς ἔχοντας τὰς καταστάσεις, αὐτοῖς ζημιοῦσθαι. ὥστε

πολὺ ἀν δικαιότερον ἐκείνοις τοῖς γράμμασιν ἢ τούτοις πιστεύοιτε· ἐκ μὲν γὰρ τούτων ῥάδιον ἦν ἐξαλει- φθῆναι τῷ βουλομένῳ, ἐν ἐκείνοις δὲ τοὺς ἵππεύσαν- τας ἀναγκαῖον ἦν ὑπὸ τῶν φυλάρχων ἀπενεχθῆναι.
 Ἐτι δέ, ὡς βουλή, εἴπερ ἵππευσα, οὐκ ἀν ἦν ἐξαρνος 8
 ὡς δεινόν τι πεποιηκάς, ἀλλ’ ἡξίουν, ἀποδείξας ὡς
 οὐδεὶς ὑπ’ ἐμοῦ τῶν πολιτῶν κακῶς πέπονθε, δοκιμά-
 ζεσθαι. ὄρῳ δὲ καὶ ὑμᾶς ταύτη τῇ γυνώμῃ χρωμένους,
 καὶ πολλοὺς μὲν τῶν τότε ἵππευσάντων βουλεύοντας,
 πολλοὺς δ’ αὐτῶν στρατηγοὺς καὶ ἵππάρχους κεχειρο-
 τονημένους. ὥστε μηδὲν δι’ ἄλλο με ἡγεῖσθε ταύτην
 ποιεῖσθαι τὴν ἀπολογίαν, ἢ ὅτι περιφανῶς ἐτόλμησάν
 μου καταψεύσασθαι. Ἀνάβηθι δέ μοι καὶ μαρτύ-
 ρησον.

ΜΑΡΤΥΡΙΑ.

Περὶ μὲν τοίνυν αὐτῆς τῆς αἰτίας οὐκ οἶδ’ ὁ τι δεῖ 9
 πλείω λέγειν· δοκεῖ δέ μοι, ὡς βουλή, ἐν μὲν τοῖς
 ἄλλοις ἀγώσι περὶ αὐτῶν μόνων τῶν κατηγορημένων
 προσήκειν ἀπολογεῖσθαι, ἐν δὲ ταῖς δοκιμασίαις δίκαιοιν
 εἰναι παντὸς τοῦ βίου λόγου διδόναι. δέομαι οὖν ὑμῶν
 μετ’ εὐνοίας ἀκρούσασθαι μου. ποιήσομαι δὲ τὴν ἀπο-
 λογίαν ὡς ἀν δύνωμαι διὰ βραχυτάτων.

Ἐγὼ γὰρ πρῶτον μὲν οὐσίας μοι οὐ πολλῆς κατα- 10
 λειφθείσης διὰ τὰς συμφορὰς καὶ τὰς τοῦ πατρὸς καὶ
 τὰς τῆς πόλεως, δύο μὲν ἀδελφὰς ἐξεδωκα, ἐπιδοὺς
 τριάκοντα μνᾶς ἐκατέρᾳ, πρὸς τὸν ἀδελφὸν δ’ οὐτως
 ἐνειμάμην ὥστ’ ἐκείνον πλέον ὁμολογεῖν ἔχειν ἐμοῦ

τῶν πατρόφων, καὶ πρὸς τοὺς ἄλλους ἅπαντας οὕτω
 βεβίωκα ὥστε μηδεπώποτέ μοι μηδὲ πρὸς ἓνα μηδὲν
ⁱⁱ ἔγκλημα γενέσθαι. καὶ τὰ μὲν ἵδια οὕτω διάκηκα·
 περὶ δὲ τῶν κοινῶν μοι μέγιστον ἡγοῦμαι τεκμήριον
 εἶναι τῆς ἐμῆς ἐπιεικείας, ὅτι τῶν νεωτέρων ὅσοι περὶ¹
 κύβους ἢ πότους ἢ ἐτέρας τοιαύτας ἀκολασίας τυγχά-
 νουσι τὰς διατριβὰς ποιούμενοι, πάντας αὐτοὺς ὅψεσθέ
 μοι διαφόρους ὄντας, καὶ πλείστα τούτους περὶ ἐμοῦ
 λογοποιοῦντας καὶ φευδομένους. καίτοι δῆλον ὅτι, εἰ
 τῶν αὐτῶν ἐπεθυμοῦμεν, οὐκ ἀν τοιαύτην γνώμην εἶχοι
ⁱⁱ περὶ ἐμοῦ. ἔτι δ', ὡς βουλή, οὐδεὶς ἀν ἀποδεῖξαι περὶ²
 ἐμοῦ δύναιτο οὔτε δίκην αἰσχρὰν οὔτε γραφὴν οὔτε
 εἰσαγγελίαν γεγενημένην· καίτοι ἐτέρους ὄρατε πολ-
 λάκις εἰς τοιούτους ἀγῶνας καθεστηκότας. πρὸς τοί-
 νυν τὰς στριτείας καὶ τοὺς κινδύνους τοὺς πρὸς τοὺς
 πολεμίους σκέψασθε οἷον ἐμαυτὸν παρέχω τῇ πόλει.
ⁱⁱ πρῶτον μὲν γάρ, ὅτε τὴν συμμαχίαν ἐποιήσασθε πρὸς
 [τοὺς] Βοιωτοὺς καὶ εἰς Ἀλίαρτον ἔδει βοηθεῖν, ὑπὸ³
 Ὁρθοβούλου κατειλεγμένος ἵππεύειν, ἐπειδὴ πάντας
 ἔώρων τοῖς μὲν ἵππεύονταις ἀσφάλειαν εἶναι [δεῖν]
 νομίζοντας, τοῖς δ' ὄπλίταις κίνδυνον ἡγουμένους, ἐτέ-
 ρων ἀναβάντων ἐπὶ τοὺς ἵππους ἀδοκιμάστων παρὰ
 τὸν νόμον ἐγὼ προσελθὼν ἔφην τῷ Ὁρθοβούλῳ ἔξα-
 λεῖψαι με ἐκ τοῦ καταλόγου, ἡγουμένος αἰσχρὸν εἶναι
 τοῦ πλήθους μέλλοντος κινδυνεύειν ἄδειαν ἐμαυτῷ πα-
 ρασκευάσαντι στρατεύεσθαι. Καὶ μοι ἀνάβηθι, Ὁρθό-
 βουλε.

ΜΑΡΤΥΡΙΑ.

Συλλεγέντων τοίνυν τῶν δημοτῶν πρὸ τῆς ἐξόδου, ¹⁵ οἱ εἰδὼς αὐτῶν ἐνίους πολίτας μὲν χρηστοὺς ὄντας καὶ προθύμους, ἐφοδίων δὲ ἀποροῦντας, εἰπον δτι χρὴ τοὺς ἔχοντας παρέχειν τὰ ἐπιτήδεια τοῖς ἀπόρως διακειμένοις. καὶ οὐ μόνον τοῦτο συνεβούλευον τοῖς ἄλλοις, ἀλλὰ καὶ αὐτὸς ἔδωκα δυοῖν ἀνδροῖν τριάκοντα δραχμὰς ἑκατέρῳ, οὐχ ὡς πολλὰ κεκτημένος, ἀλλ’ ἵνα παράδειγμα τοῦτο τοῖς ἄλλοις γένηται. Καί μοι ἀνάβητε, [μάρτυρες.]

ΜΑΡΤΥΡΕΣ.

Μετὰ ταῦτα τοίνυν, ὡς Βουλή, εἰς Κόρινθον ἐξόδου ¹⁵ γενομένης καὶ πάντων προειδότων δτι δεήσει κινδυνεύειν, ἔτέρων ἀναδυομένων ἐγὼ διεπραξάμην ὥστε τῆς πρώτης τεταγμένος μάχεσθαι τοῖς πολεμίοις καὶ μάλιστα τῆς ἡμετέρας φυλῆς δυστυχησάσης, καὶ πλείστων ἀποθανόντων, ὕστερος ἀνεχώρησα τοῦ σεμνοῦ Στειρίως τού πάσιν ἀνθρώποις δειλίαν ὀνειδικότος. καὶ οὐ πολλαῖς ¹⁶ ἡμέραις ὕστερον μετὰ ταῦτα ἐν Κορίνθῳ χωρίων ἵσχυρῶν κατειλημμένων, ὥστε τοὺς πολεμίους μὴ δύνασθαι προσιέναι, Ἀγησιλάου δ’ εἰς τὴν Βοιωτίαν ἐμβαλόντος ψηφισαμένων τῶν ἀρχόντων ἀποχωρίσαι τάξεις αἵτινες βοηθήσουσι, φοβουμένων ἀπάντων (εἰκότως, ὡς Βουλή· δεινὸν γὰρ ἦν ἀγαπητῶς ὀλίγῳ πρότερον σεσωσμένους ἐφ’ ἔτερον κίνδυνον ἰέναι) προσελθὼν ἐγὼ τὸν ταξίαρχον ἐκέλευον ἀκληρωτὶ τὴν ἡμετέραν τάξιν πέμπειν. ὥστ’ εἰ τινες ὑμῶν ὄργιζονται τοῖς τὰ μὲν ¹⁷ τῆς πόλεως ἀξιοῦσι πράττειν, ἐκ δὲ τῶν κινδύνων

ἀποδιδρύσκουσιν, οὐκ ἀν δικαίως περὶ ἐμοῦ τὴν γνώμην ταύτην ἔχοιεν· οὐ γὰρ μόνον τὰ προσταττόμενα ἐποίουν προθύμως, ἀλλὰ καὶ κινδυνεύειν ἐτόλμων. καὶ ταῦτ' ἐποίουν οὐχ ὡς οὐ δεινὸν ἡγούμενος εἶναι Λακεδαιμονίοις μάχεσθαι, ἀλλ' ἵνα, εἴ ποτε ἀδίκως εἰς κινδυνον καθισταίμην, διὰ ταῦτα βελτίων ὑφ' ὑμῶν νομιζόμενος ἀπάντων τῶν δικαίων τυγχάνοιμι. Καί μοι ἀνάβητε τούτων μάρτυρες.

ΜΑΡΤΥΡΕΣ.

18 Τῶν τοίνυν ἄλλων στρατειῶν καὶ φρουρῶν οὐδεμίᾶς ἀπελείφθην πώποτε, ἀλλὰ πάντα τὸν χρόνον διατετέλεκα μετὰ τῶν πρώτων μὲν τὰς ἐξόδους ποιούμενος, μετὰ τῶν τελευταίων δὲ ἀναχωρῶν. καίτοι χρὴ τοὺς φιλοτίμως καὶ κοσμίως πολιτευομένους ἐκ τῶν τοιούτων σκοπεῖν, ἀλλ' οὐκ εἴ τις κομῷ, διὰ τοῦτο μισεῖν· τὰ μὲν γὰρ τοιαῦτα ἐπιτηδεύματα οὔτε τοὺς ἴδιώτας οὔτε τὸ κοινὸν τῆς πόλεως βλάπτει, ἐκ δὲ τῶν κινδυνεύειν ἐθελόντων πρὸς τοὺς πολεμίους ἀπαντεῖς ὑμεῖς ὡφελεῖσθε. ὅστε οὐκ ἄξιον ἀπ' ὅψεως, ὡς βουλή, οὔτε φιλεῖν οὔτε μισεῖν οὐδένα, ἀλλ' ἐκ τῶν ἔργων σκοπεῖν· πολλοὶ μὲν γὰρ μικρὸν διαλεγόμενοι καὶ κοσμίως ἀμπεχόμενοι μεγάλων κακῶν αἴτιοι γεγόνασιν, ἔτεροι δὲ τῶν τοιούτων ἀμελούντες πολλὰ κάγαθὰ ὑμᾶς εἰσιν εἰργασμένοι.

20 Ἡδη δέ τινων ἡσθόμην, ὡς βουλή, καὶ διὰ ταῦτα ἀχθομένων μοι, ὅτι νεώτερος ὧν ἐπεχείρησα λέγειν ἐν τῷ δήμῳ. ἐγὼ δὲ τὸ μὲν πρῶτον ἡναγκάσθην ὑπὲρ

τῶν ἐμαυτοῦ πραγμάτων δημηγορῆσαι, ἔπειτα μέντοι καὶ ἐμαυτῷ δοκῶ φιλοτιμότερον διατεθῆναι τοῦ δέοντος, ἅμα μὲν τῶν προγόνων ἐνθυμούμενος, ὅτι οὐδὲν πέπαυνται τὰ τῆς πόλεως πράττοντες, ἅμα δὲ ὑμᾶς ὄρῶν ²¹ (τὰ γὰρ ἀληθῆ χρὴ λέγειν) τοὺς τοιούτους μόνους ἀξίους νομίζοντας εἶναι, ὥστε ὄρῶν ὑμᾶς ταύτην τὴν γυνώμην ἔχοντας τίς οὐκ ἀν ἐπαρθείη πράττειν καὶ λέγειν ὑπὲρ τῆς πόλεως; ἔτι δὲ τί ἀν τοῖς τοιούτοις ἄχθοισθε; οὐ γὰρ ἔτεροι περὶ αὐτῶν κριταί εἰσιν, ἀλλ' ὑμεῖς.

XII.

ΚΑΤΑ ΕΡΑΤΟΣΘΕΝΟΥΣ

ΤΟΤ ΓΕΝΟΜΕΝΟΤ ΤΩΝ ΤΡΙΑΚΟΝΤΑ, ΟΝ
ΑΤΤΟΣ ΕΙΠΕ ΛΤΣΙΑΣ.

ΟΤΚ ἄρξασθαι μοι δοκεῖ ἄπορον εἶναι, ὡς ἄνδρες δικασταί, τῆς κατηγορίας, ἀλλὰ παύσασθαι λέγοντι· τοιαῦτα αὐτοῖς τὸ μέγεθος καὶ τοσαῦτα τὸ πλῆθος εἴργασται, ὥστε μήτ' ἀν ψευδόμενον δεινότερα τῶν ὑπαρχόντων κατηγορῆσαι, μήτε τάληθή βουλόμενον εἰπεῖν ἄπαντα δύνασθαι, ἀλλ' ἀνάγκη ἡ τὸν κατήγορον ἀπειπεῖν ἡ τὸν χρόνον ἐπιλιπεῖν. τούναντίου δέ μοι δοκοῦμεν πείσεσθαι ἡ ἐν τῷ πρὸ τοῦ χρόνῳ πρότερον μὲν γὰρ ἔδει τὴν ἔχθραν τοὺς κατηγοροῦντας ἐπιδεῖξαι, ἥτις εἶη πρὸς τοὺς φεύγοντας· νῦν δὲ παρὶ τῶν φευγόντων χρὴ πυνθάνεσθαι ἥτις ἡν αὐτοῖς πρὸς τὴν πόλιν ἔχθρα, ἀνθ' ὅτου τοιαῦτα ἐτόλμησαν εἰς αὐτὴν ἔξαμαρτάνειν. οὐ μέντοι ὡς οὐκ ἔχων οἰκείας ἔχθρας καὶ συμφορὰς τοὺς λόγους ποιοῦμαι, ἀλλ' ὡς ἄπασι πολλῆς ἀφθονίας οὖσης ὑπὲρ τῶν ἴδιων ἡ ὑπὲρ τῶν δημοσίων ὄργιζεσθαι. ἐγὼ μὲν οὖν, ὡς ἄνδρες δικασταί, οὗτ' ἔμαυτοῦ πώποτε οὔτε ἀλλότρια πράγματα πράξας νῦν ἡνάγκασμαι ὑπὸ τῶν γεγενημένων τούτου κατηγορεῖν, ὥστε πολλάκις εἰς πολλὴν ἀθυμίαν κατέστην, μὴ διὰ τὴν ἀπειρίαν ἀναξίως καὶ ἀδυνάτως

ὑπὲρ τοῦ ἀδελφοῦ καὶ ἐμαυτοῦ τὴν κατηγορίαν ποιήσομαι· ὅμως δὲ πειρύσσομαι ὑμᾶς ἐξ ἀρχῆς ὡς ἀν δύνωμαι δὶ ἐλαχίστων διδάξαι.

Οὐμὸς πατὴρ Κέφαλος ἐπείσθη μὲν ὑπὸ Περικλέους 4 εἰς ταύτην τὴν γῆν ἀφικέσθαι, ἔτη δὲ τριάκοντα ὥκησε, καὶ οὐδενὶ πώποτε οὔτε ἡμεῖς οὔτε ἐκεῖνος δίκην οὔτε ἐδικασύμεθα οὔτε ἐφύγομεν, ἀλλ’ οὔτως ὥκουμεν δημοκρατούμενοι ὥστε μήτε εἰς τοὺς ἄλλους ἐξαρπατάνειν μήτε ὑπὸ τῶν ἄλλων ἀδικεῖσθαι. ἐπειδὴ δ’ οὐ τριά- 5 κοντα πονηροὶ [μὲν] καὶ συκοφάνται ὅντες εἰς τὴν ἀρχὴν κατέστησαν, φάσκοντες χρῆναι τῶν ἀδίκων καθαρὰν ποιῆσαι τὴν πόλιν καὶ τοὺς λοιπὸὺς πολίτας ἐπ’ ἀρετὴν καὶ δικαιοσύνην τραπέσθαι, τοιαῦτα λέγοντες οὐ τοιαῦτα ποιεῖν ἐτόλμων, ὡς ἐγὼ περὶ τῶν ἐμαυτοῦ πρῶτου εἰπὼν καὶ περὶ τῶν ὑμετέρων ἀναμνῆσαι πειράσσομαι. Θέογνις γὰρ καὶ Πείσων ἔλεγον ἐν τοῖς τριά- 6 κοντα περὶ τῶν μετοίκων, ὡς εἰέν τινες τῇ πολιτείᾳ ἀχθόμενοι· καλλίστην οὖν εἶναι πρόφασιν τιμωρεῖσθαι μὲν δοκεῖν, τῷ δ’ ἔργῳ χρηματίζεσθαι· πάντως δὲ τὴν μὲν πόλιν πένεσθαι, τὴν ἀρχὴν δὲ δεῖσθαι χρημάτων. καὶ τοὺς ἀκούοντας οὐ χαλεπῶς ἐπειθον· 7 ἀποκτινύναι μὲν γὰρ ἀνθρώπους περὶ οὐδενὸς ἥγοῦντο, λαμβάνειν δὲ χρήματα περὶ πολλοῦ ἐποιοῦντο. ἔδοξεν οὖν αὐτοῖς δέκα συλλαβεῖν, τούτων δὲ δύο πένητας, ἵνα αὐτοῖς ὡς πρὸς τοὺς ἄλλους ἀπολογία, ὡς οὐ χρημάτων ἔνεκα ταῦτα πέπρακται, ἀλλὰ συμφέροντα τῇ πολιτείᾳ γεγένηται, ὥσπερ τι τῶν ἄλλων εὐλόγως πεποιηκότες. διαλαβόντες δὲ τὰς οἰκίας ἐβάδιζον· καὶ ἐμὲ 8

μὲν ξένους ἔστιώντα κατέλαβον, οὓς ἐξελάσαντες Πείσωνί με παραδιδόσιν· οἱ δὲ ἄλλοι εἰς τὸ ἐργαστήριον ἐλθόντες τὰ ἀνδράποδα ἀπεγράφοντο. ἐγὼ δὲ Πείσωνα μὲν ἡρώτων εἰ βούλοιτό με σῶσαι χρήματα λαβών· ὁ δ' ἔφασκεν, εἰ πολλὰ εἴη. εἰπον οὖν ὅτι τάλαντον ἀργυρίου ἔτοιμος εἴην δοῦναι· ὁ δ' ὡμολόγησε ταῦτα ποθήσειν. ἡπιστάμην μὲν οὖν ὅτι οὔτε θεοὺς οὔτ' ἀνθράκους νομίζει, δῆμος δ' ἐκ τῶν παρόντων ἔδοκει μοι ἀναγκαῖότατον εἶναι πίστιν παρ' αὐτοῦ λαβεῖν· ἐπειδὴ δὲ ὡμοσεν ἐξώλειαν ἔαυτῷ καὶ τοῖς παιστὶ ἐπαρώμενος λαβὼν τὸ τάλαντόν με σώσειν, εἰσελθὼν εἰς τὸ δωμάτιον τὴν κιβωτὸν ἀνοίγνυμι· Πείσων δ' αἰσθόμενος εἰσέρχεται, καὶ ἵδων τὰ ἐνόντα καλεῖ τῶν ὑπηρετῶν δύο, καὶ τὰ ἐν τῇ κιβωτῷ λαβεῖν ἐκέλευσεν. ἐπεὶ δὲ οὐχ ὅσον ὡμολόγητο εἶχεν, ὁ ἄνδρες δικασταί, ἄλλὰ τρία τάλαντα ἀργυρίου καὶ τετρακοσίους κυζικηνὸν καὶ ἑκατὸν δαρεικὸν καὶ φιάλας ἀργυρᾶς τέτταρας, ἐδέομην αὐτοῦ ἐφόδιά μοι δοῦναι, ὁ δ' ἀγαπήσειν με ἔφασκεν, εἰ τὸ σῶμα σώσω. ἐξιουσί δ' ἐμοὶ καὶ Πείσωνι ἐπιτυγχάνει Μηλόβιός τε καὶ Μνησιθείδης ἐκ τοῦ ἐργαστηρίου ἀπιόντες, καὶ καταλαμβάνοντο πρὸς αὐταῖς ταῖς θύραις, καὶ ἐρωτῶσιν δποι βαδίζοιμεν· ὁ δ' ἔφασκεν εἰς τὰδελφοῦ τοῦ ἐμοῦ, ἵνα καὶ τὰ ἐν ἐκείνῃ τῇ οἰκίᾳ σκέψηται. ἐκεῖνον μὲν οὖν ἐκέλευσον βαδίζειν, ἐμὲ δὲ μεθ' αὐτῶν ἀκολουθεῖν εἰς Δαμνίππου. Πείσων δὲ προσελθὼν σιγᾶν μοι παρεκελεύετο καὶ θαρρεῖν, ώς οἵξων ἐκεῖσε. καταλαμβάνομεν δὲ αὐτόθι Θέογυνιν ἑτέρους φυλάττοντα· φ

παραδόντες ἐμὲ πάλιν φέροντο. ἐν τοιούτῳ δ' ὅντι μοι κινδυνεύειν ἐδόκει, ώς τοῦ γε ἀποθανεῖν ὑπάρχοντος ἥδη. καλέσας δὲ Δαμνιππον λέγω πρὸς αὐτὸν τάδε, ¹⁶ “ἐπιτήδειος μέν μοι τυγχάνεις ὁν, ἥκω δ' εἰς τὴν σὴν οἰκίαν, ἀδικῶ δ' οὐδέν, χρημάτων δ' ἔνεκα ἀπόλλυμα. σὺ οὖν ταῦτα πάσχοντί μοι πρόθυμον παράσχου τὴν σεαυτοῦ δύναμιν εἰς τὴν ἐμὴν σωτηρίαν.” ὁ δ' ὑπέσχετο ταῦτα ποιήσειν. ἐδόκει δ' αὐτῷ βέλτιον εἶναι πρὸς Θέογυνι μνησθῆναι. ἥγεντο γὰρ ἅπαν ποιήσειν αὐτόν, εἴ τις ἀργύριον διδοίη. ἐκείνου δὲ διαλεγομένου ¹⁷ Θεόγυνι (ἔμπειρος γὰρ ὁν ἐτύγχανον τῆς οἰκίας, καὶ ἔδειν ὅτι ἀμφίθυρος εἴη) ἐδόκει μοι ταύτη πειρᾶσθαι σωθῆναι, ἐνθυμουμένῳ ὅτι, ἐὰν μὲν λάθω, σωθήσομαι, ἐὰν δὲ ληφθῶ, ἥγούμην μέν, εἰ Θέογυνι εἴη πεπει- σμένος ὑπὸ τοῦ Δαμνιππον χρήματα λαβεῖν, οὐδὲν ἥττον ἀφεθήσεσθαι, εἰ δὲ μή, ὁμοίως ἀποθανεῖσθαι. ταῦτα διανοηθεὶς ἔφευγον, ἐκείνων ἐπὶ τῇ αὐλείφ θύρᾳ ¹⁸ τὴν φυλακὴν ποιουμένων· τριῶν δὲ θυρῶν οὔσων, ἀς ἔδει με διελθεῖν, ἅπασαι ἀνεφεγμέναι ἔτυχον. ἀφικό- μενος δὲ εἰς Ἀρχένεω τοῦ ναυκλήρουν ἐκείνον πέμπω εἰς ἄστυ, πευσόμενον περὶ τοῦ ἀδελφοῦ· ἥκων δὲ ἔλε- γεν ὅτι Ἐρατοσθένης αὐτὸν ἐν τῇ ὁδῷ λαβὼν εἰς τὸ δεσμωτήριον ἀπαγάγοι. καὶ ἐγὼ τοιαῦτα πεπυσμένος ¹⁹ τῆς ἐπιούσης υπεκτὸς διέπλευσα Μέγαράδε. Πολε- μάρχῳ δὲ παρήγγειλαν οἱ τριάκοντα τὸ ὑπ' ἐκείνων εἰθισμένον παράγγελμα, πίνειν κώνειον, πρὶν τὴν αἰ- τίαν εἰπεῖν δι' ἥκτινα ἔμελλεν ἀποθανεῖσθαι· οὕτω πολλοῦ ἐδέησε κριθῆναι καὶ ἀπολογήσασθαι. καὶ ²⁰

ἐπειδὴ ἀπεφέρετο ἐκ τοῦ δεσμωτηρίου τεθνεώς, τριῶν
 ἡμῶν οἰκιῶν οὐσῶν [έξ] οὐδεμιᾶς εἴασαν ἐξενεχθῆναι.
 ἀλλὰ κλεισίον μισθωσάμενοι προούθεντο αὐτόν. καὶ
 πολλῶν ὄντων ἴματίων αὐτοῦσιν οὐδὲν ἔδοσαν εἰς τὴν
 ταφήν, ἀλλὰ τῶν φίλων ὁ μὲν ἴματιον ὁ δὲ προσκεφά-
 λαιον ὁ δὲ ὁ τι ἔκαστος ἔτυχεν ἔδωκεν εἰς τὴν ἐκείνου
 19 ταφήν. καὶ ἔχοντες μὲν ἐπτακοσίας ἀσπίδας τῶν ἡμε-
 τέρων, ἔχοντες δὲ ἀργύριον καὶ χρυσίον τοσοῦτον, χαλ-
 κὸν δὲ καὶ κόσμον καὶ ἔπιπλα καὶ ἴματια γυναικεία
 ὅσα οὐδεπώποτε φόντο κτήσασθαι, καὶ ἀνδράποδα εἴ-
 κοσι καὶ ἔκιτόν, ὃν τὰ μὲν βέλτιστα ἔλαβον, τὰ δὲ
 λοιπὰ εἰς τὸ δημόσιον ἀπέδοσαν, εἰς τοσαύτην ἀπλη-
 στίαν καὶ αἰσχροκέρδειαν ἀφίκοντο καὶ τοῦ τρόπου τοῦ
 αὐτῶν ἀπόδειξιν ἐποιήσαντο. τῆς γὰρ Πολεμάρχου
 γυναικὸς χρυσοῦς ἐλικτῆρας, οὓς ἔχουσα ἐτύγχανεν,
 ὅτε τὸ πρώτον ἥλθεν εἰς τὴν οἰκίαν Μηλόβιος, ἐκ τῶν
 20 ὅτων ἔξειλετο. καὶ οὐδὲ κατὰ τὸ ἐλάχιστον μέρος τῆς
 οὐσίας ἐλέου παρ' αὐτῶν ἐτυγχάνομεν. ἀλλ' οὕτως εἰς
 ἡμᾶς διὰ τὰ χρήματα ἔξημάρτανον, ὥσπερ οὐδὲ ἀν ἔτε-
 ροι μεγάλων ἀδικημάτων ὀργὴν ἔχοντες, οὐ τούτων ἀξί-
 ους γε ὄντας τῇ πόλει, ἀλλὰ πάσας τὰς χορηγίας χορη-
 γήσαντας, πολλὰς δ' εἰσφαρὰς εἰσενεγκόντας, κοσμίους
 δ' ἡμᾶς αὐτοὺς παρέχοντας καὶ πᾶν τὸ προστατό-
 μενον ποιοῦντας, ἔχθρὸν δ' οὐδένα κεκτημένους, πολλοὺς
 δ' Ἀθηναίων ἐκ τῶν πολεμίων λυσαμένους τοιούτων
 ἥξισαν οὐχ ὁμοίως μετοικοῦντας ὥσπερ αὐτοὶ ἐποι-
 21 τεύοντο. οὗτοι γὰρ πολλοὺς μὲν τῶν πολιτῶν εἰς τοὺς
 πολεμίους ἔξηλασαν, πολλοὺς δ' ἀδίκως ἀποκτείναντες

ἀτάφους ἐποίησαν, πολλοὺς δ' ἐπιτίμους ὅντας ἀτίμους [τῆς πόλεως] κατέστησαν, πολλῶν δὲ θυγατέρας μελλούσας ἐκδίδοσθαι ἐκώλυσαν. Καὶ εἰς τοσοῦτόν εἰσι τόλμης ἀφιγμένοι ὥσθ' ἥκουσιν ἀπολογησόμενοι, καὶ λέγουσιν ώς οὐδὲν κακὸν οὐδ' αἰσχρὸν εἰργασμένοι εἰσίν. ἐγὼ δ' ἐθουλόμην ἀν αὐτὸν ἀληθῆ λέγειν. μετῆν γὰρ ἀν καὶ ἐμοὶ τούτου τἀγαθοῦ οὐκ ἐλάχιστον μέρος. οὐν δὲ οὗτε πρὸς τὴν πόλιν αὐτοῖς τοιαῦτα ὑπάρχει οὗτε πρὸς ἐμέ· τὸν ἀδελφὸν γάρ μου, ὥσπερ καὶ πρότερον εἶπον, Ἐρατοσθένης ἀπέκτεινεν, οὗτε αὐτὸς ἴδιᾳ ἀδικούμενος οὗτε εἰς τὴν πόλιν ὄρων ἐξαμαρτάνοντα, ἀλλὰ τῇ ἑαυτῷ παρανομίᾳ προθύμως ἐξυπηρετῶν. ἀναβιβασάμενος δ' αὐτὸν βούλομαι ἐρέσθαι, ὡς ἀνδρες δικασταί. τοιαῦτην γὰρ γνώμην ἔχω· ἐπὶ μὲν τῇ τούτου ὡφελείᾳ καὶ πρὸς ἔτερον περὶ τούτου διαλέγεσθαι ἀσεβεῖς εἶναι νομίζω, ἐπὶ δὲ τῇ τούτου βλάβῃ καὶ πρὸς αὐτὸν τούτον δσιον καὶ εὐσεβές. ἀνάβηθι οὖν μοι καὶ ἀπόκριναι, ὅ τι ἄν σε ἐρωτῶ.

Ἀπήγαγες Πολέμαρχον ἡ οὖ; Τὰ ὑπὸ τῶν ἀρχόντων προσταχθέντα δεδιώς ἐποίουν. Ἡσθα δ' ἐν τῷ βουλευτηρίῳ, ὅτε οἱ λόγοι ἐγίγνοντο περὶ ήμῶν; Ἡν. Πρότερον σύνηγόρευες τοῖς κελεύουσιν ἀποκτεῖναι ἡ ἀντέλεγες; Ἀντέλεγον. Ἰνα ἀποθάνωμεν ἡ μὴ ἀποθάνωμεν; Ἰνα μὴ ἀποθάνητε. Ἡγούμενος ήμᾶς ἀδικαπάσχειν ἡ δίκαια; Ἀδικα.

Εἰτ', ὡς σχετλιώτατε πάντων, ἀντέλεγες μὲν ἵνα σώσειας, συνελάμβανες δὲ ἵνα ἀποκτείνειας; καὶ ὅτε μὲν τὸ πλῆθος ἡν ὑμῶν κύριον τῆς σωτηρίας τῆς ἡμετέρας,

ἀντιλέγειν φής τοῖς βουλομένοις ἡμᾶς ἀπολέσαι, ἐπειδὴ δὲ ἐπὶ σοὶ μόνῳ ἐγένετο καὶ σῶσαι Πολέμαρχον καὶ μή, εἰς τὸ δεσμωτήριον ἀπήγαγες; εἰθ' ὅτι μέν, ὡς φής, ἀντειπὼν οὐδὲν ὠφέλησας, ἀξιοῖς χρηστὸς νομίζεσθαι, ὅτι δὲ συλλαβὼν ἀπέκτεινας, οὐκ οἶει ἐμοὶ καὶ τουτοῖς [δεῖν] δοῦναι δίκην;

27 Καὶ μὴν οὐδὲ τοῦτο εἰκὸς αὐτῷ πιστεύειν, εἰπερ ἀληθῆ λέγει φύσκων ἀντειπεῖν, ὡς αὐτῷ προσετάχθη. οὐ γάρ δή που ἐν τοῖς μετοίκοις πίστιν παρ' αὐτοῦ ἐλάμβανον. ἐπειτα τῷ ἡπτον εἰκὸς ἡν προσταχθῆναι ἡ ὅστις ἀντειπών γε ἐτύγχανε καὶ γνώμην ἀποδεδειγμένος; τίνα γάρ εἰκὸς ἡν ἡπτον ταῦτα ὑπηρετήσαι ἡ τὸν ἀντειπόντα 28 οῖς ἐκείνοις ἐβούλοντο πραχθῆναι; Ἐτι δὲ τοῖς μὲν ἄλλοις Ἀθηναίοις ἵκανή μοι δοκεῖ πρόφασις εἶναι τῶν γεγενημένων εἰς τοὺς τριάκοντα ἀναφέρειν τὴν αἰτίαν· αὐτοὺς δὲ τοὺς τριάκοντα, ἀν εἰς σφᾶς αὐτοὺς ἀναφέρωσι, 29 πῶς ὑμᾶς εἰκὸς ἀποδέχεσθαι; εἰ μὲν γάρ τις ἡν ἐν τῇ πόλει ἀρχὴ ἵσχυροτέρα αὐτῆς, ὑφ' ἡς αὐτῷ προσετάττετο παρὰ τὸ δίκαιον ἀνθρώπους ἀπολλύναι, ἵσως ἀν εἰκότως αὐτῷ συγγνώμην εἴχετε· νῦν δὲ παρὰ τοῦ ποτε καὶ λήψεσθε δίκην, εἰπερ ἐξέσται τοῖς τριάκοντα λέγειν 30 ὅτι τὸ ὑπὸ τῶν τριάκοντα προσταχθέντα ἐποίουν; Καὶ μὲν δὴ οὐκ ἐν τῇ οἰκίᾳ ἀλλ' ἐν τῇ ὁδῷ, σώζειν αὐτὸν κατὰ τὰ τούτοις ἐψηφισμένα παρόν, συλλαβὼν ἀπήγαγεν. ὑμεῖς δὲ πᾶσιν ὄργιζεσθε, ὅσοι εἰς τὰς οἰκίας ἥλθον τὰς ὑμετέρας ζήτησιν ποιούμενοι ἡ ὑμῶν ἡ τῶν ὑμετέρων 31 τινός. καίτοι εἰ χρὴ τοῖς διὰ τὴν ἑαυτῶν σωτηρίαν ἔτέρους ἀπολέσασι συγγνώμην ἔχειν, ἐκείνοις ἀν δικαι-

ότερον ἔχοιτε· κίνδυνος γὰρ ἦν πεμφθεῖσι μὴ ἐλθεῖν καὶ καταλαβούσιν ἔξαρνοις γενέσθαι· τῷ δὲ Ἐρατοσθένει ἔξῆν εὐπεῖν ὅτι οὐκ ἀπήντησεν, ἐπειτα ὅτι οὐκ εἶδεν· ταῦτα γὰρ οὗτ' ἐλεγχον οὔτε βάσιν εἶχεν, ὡστε μηδ' ὑπὸ τῶν ἐχθρῶν βουλομένων οἰόν τ' εἶναι ἔξελεγχθῆναι. χρῆν δέ σε, ὡ Ἐρατόσθενες, εἰπερ ἡσθα ³³ χρηστός, πολὺ μᾶλλον τοῖς μέλλουσιν ἀδίκως ἀποθανεῖσθαι μηνυτὴν γενέσθαι ἢ τοὺς ὑδίκως ἀπολουμένους συλλαμβάνειν. νῦν δέ σου τὰ ἔργα φανερὰ γεγένηται οὐχ ὡς ἀνιωμένου ἀλλ' ὡς ἡδομένου τοῖς γιγνομένοις, ὡστε τούσδε ἐκ τῶν ἔργων χρὴ μᾶλλον ἢ ἐκ τῶν λόγων ³³ τὴν ψῆφον φέρειν, ἢ ἵσασι γεγενημένα τῶν τότε λεγομένων τεκμήρια λαμβάνοντας, ἐπειδὴ μάρτυρας περὶ αὐτῶν οὐχ οἰόν τε παρασχέσθαι. οὐ γὰρ μόνον ἡμῖν παρεῖναι οὐκ ἔξῆν, ἀλλ' οὐδὲ παρ' αὐτοῖς εἶναι, ὡστ' ἐπὶ τούτοις ἐστὶ πάντα τὰ κακὰ εἰργασμένοις τὴν πόλιν πάντα τάγαθὰ περὶ αὐτῶν λέγειν. τοῦτο μέντοι οὐ μεφύγω, ἀλλ' ὁμολογῶ σοι, εἰ βούλει, ἀντειπεῖν. θαυμάζω δὲ τί ἄν ποτε ἐποίησας συνειπών, ὅπότε ἀντειπεῖν φύσκων ἀπέκτεινας Πολέμαρχον. φέρε δή, τί ἄν εἰ καὶ ἀδελφοὶ ὄντες ἐτυγχάνετε αὐτοῦ ἢ καὶ νίεῖς; ἀπεψηφίζεσθε; δεῖ γάρ, ὡ ἄνδρες δικασταί, Ἐρατοσθένην δυοῖν θύτερον ἀποδεῖξαι, ἢ ώς οὐκ ἀπήγαγεν αὐτόν, ἢ ώς δικαίως τοῦτ' ἐπραξεν. οὗτος δὲ ὡμολόγηκεν ἀδίκως συλλαβεῖν, ὡστε ῥαδίαν ὑμῖν τὴν διαψήφισιν περὶ αὐτοῦ πεποίηκε. Καὶ μὲν δὴ πολλοὶ καὶ τῶν ἀστῶν ³⁵ καὶ τῶν ξένων ἥκουσιν εἰσόμενοι τίνα γνώμην περὶ τούτων ἔξετε. ὃν οἱ μὲν ὑμέτεροι ὄντες πολῖται μαθόντες

ἀπίασιν ὅτι ἡ δίκην δώσουσιν ὡν ἀν ἔξαμάρτωσιν, ἡ πράξαντες μὲν ὧν ἐφίενται τύραννοι τῆς πόλεως ἔσονται, δυστυχήσαντες δὲ τὸ ἵσον ὑμῖν ἔξουσιν· δοσοὶ δὲ ἔνεινοι ἐπιδημούσιν, εἴσονται πότερον ἀδίκως τοὺς τρικούντα ἐκκηρύττουσιν ἐκ τῶν πόλεων ἡ δικαίως. εἰ γὰρ δὴ αὐτοὶ οἱ κακῶς πεπονθότες λαβόντες ἀφήσουσιν, ἡ που σφᾶς αὐτοὺς ἡγήσονται περιέργους ὑπὲρ ὑμῶν κηδοσέ μένους. οὐκ οὖν δεινὸν εἰ τοὺς μὲν στρατηγούς, οἱ ἐνίκων ναυμαχοῦντες, ὅτε διὰ χειμῶνα οὐχ οἷοί τ' ἔφασαν εἶναι τοὺς ἐκ τῆς θαλάττης ἀνελέσθαι, θανάτῳ ἐξημισάτε, ἡγούμενοι χρῆναι τῇ τῶν τεθνεώτων ἀρετῇ παρ' ἐκείνων δίκην λαβεῖν, τούτους δέ, οἱ ἴδιῶται μὲν δύντες καθ' ὅσον ἐδύναντο ἐποίησαν ἡττηθῆναι ναυμαχοῦντας, ἐπειδὴ δὲ εἰς τὴν ἀρχὴν κατέστησαν, ὁμολογούσιν ἐκόντες πολλοὺς τῶν πολιτῶν ἀκρίτους ἀποκτιννύντας, οὐκ ἄρα χρὴ αὐτοὺς καὶ τοὺς παῖδας ὑφ' ὑμῶν ταῖς ἐσχάταις ζημίαις κολάζεσθαι;

37 Ἐγὼ τοίνυν, ὡ ἄνδρες δικασταί, ἡξίουν ἰκανὰ εἶναι τὰ κατηγορημένα· μέχρι γὰρ τούτου νομίζω χρῆναι κατηγόρειν ἔως ἀν θανάτου δόξη τῷ φεύγοντι ἄξια εἰργάσθαι· ταύτην γὰρ ἐσχάτην δίκην δυνάμεθα παρ' αὐτῶν λαβεῖν. ὥστ' οὐκ οἶδ' ὅ τι δεῖ πολλὰ κατηγορεῖν τοιούτων ἀνδρῶν, οἱ οὖδ' ὑπὲρ ἐνὸς ἐκάστου τῶν πεπραγμένων δις ἀποθανόντες δίκην δοῦναι δύναιντ' ἄν.
 38 οὐ γὰρ δὴ οὐδὲ τούτῳ αὐτῷ προσήκει ποιῆσαι, ὅπερ ἐν τῇδε τῇ πόλει εἰθισμένον ἐστίν, πρὸς μὲν τὰ κατηγορημένα μηδὲν ἀπολογεῖσθαι, περὶ δὲ σφῶν αὐτῶν ἔτερα λέγοντες ἐνίστε ἔξαπατῶσιν, ὑμῖν ἀποδεικνύντες ως στρα-

τιώται ἀγαθοί εἰσιν, ἡ ὡς πολλὰς τῶν πολεμίων ναῦς ἔλαβον τριτραρχήσαντες, ἡ πόλεις πολεμίας οὖσας φιλίας ἐποίησαν· ἐπεὶ κελεύετε αὐτὸν ἀποδεῖξαι ὃπου τοσούτους τῶν πολεμίων ἀπέκτειναν ὃσους τῶν πολιτῶν, ἡ ναῦς ὃπου τοσαύτας ἔλαβον ὅσας αὐτοὶ παρέδοσαν, ἡ πόλιν ἥντινα τοιαύτην προσεκτήσαντο οἴαν τὴν ὑμετέραν κατεδουλώσαντο. ἀλλὰ γὰρ ὅπλα τῶν πολεμίων ἐσκύλευσαν τοσαῦτα ὅσα περ ὑμῶν ἀφείλοντο; ἀλλὰ τείχη τοιαῦτα εἰλον οἴα τῆς ἑαυτῶν πατρίδος κατέσκαψαν; οἵτινες καὶ τὰ περὶ τὴν Ἀττικὴν φρούρια καθεῖλον, καὶ ὑμῖν ἐδήλωσαν ὅτι οὐδὲ τὸν Πειραιᾶ Λακεδαιμονίων προσταττόντων περιεῖλον, ἀλλ' ὅτι ἑαυτοῖς τὴν ἀρχὴν οὔτω βεβαιωτέραν ἐνόμιζον εἶναι.

Πολλάκις οὖν ἔθαύμασα τῆς τόλμης τῶν λεγόντων ὑπὲρ αὐτοῦ, πλὴν ὅταν ἐνθυμηθῶ ὅτι τῶν αὐτῶν ἐστιν αὐτούς τε πάντα τὰ κακὰ ἐργάζεσθαι καὶ τοὺς τοιούτους ἐπαινεῖν. οὐ γὰρ οὐν πρῶτον τῷ ὑμετέρῳ πλήθει τὰ ἐναντία ἐπράξεν, ἀλλὰ καὶ ἐπὶ τῶν τετρακοσίων ἐν τῷ στρατοπέδῳ ὄλυμπαρχίαν καθιστὰς ἔφευγεν ἐξ Ἑλλησπόντου τριτραρχος καταλιπὼν τὴν ναῦν, μετὰ Ἰατροκλέους καὶ ἑτέρων, ὃν τὰ ὄνόματα οὐδὲν δέομαι λέγειν. ἀφικόμενος δὲ δεῦρο τάναντία τοῖς βουλομένοις δημοκρατίαν εἶναι ἐπραττεν. καὶ τούτων μάρτυρας ὑμῖν παρέξομαι.

ΜΑΡΤΥΡΕΣ.

Τὸν μὲν τούνυν μεταξὺ βίον αὐτοῦ παρήσω· ἐπειδὴ οὐ δὲ ἡ ναυμαχία καὶ ἡ συμφορὰ τῇ πόλει ἐγένετο, δημο-

κρατίας ἔτι οὖσης, ὅθεν τῆς στάσεως ἡρξαν, πέντε ἄνδρες ἔφοροι κατέστησαν ὑπὸ τῶν καλουμένων ἑταίρων, συναγωγεῖς μὲν τῶν πολιτῶν, ἀρχοντες δὲ τῶν συνωμοτῶν, ἐναντία δὲ τῷ ὑμετέρῳ πλιήθει πράττοντες· ὡν **45** Ἐρατοσθένης καὶ Κριτίας ἡσαν. οὗτοι δὲ φυλάρχους τε ἐπὶ τὰς φυλακὰς κατέστησαν, καὶ ὅ τι δέοι χειροτονεῖσθαι καὶ οὖστινας χρείη ἄρχειν παρήγγελλον, καὶ εἴ τι ἄλλο πρύττειν βούλοιντο, κύριοι ἡσαν· οὗτως οὐχ ὑπὸ τῶν πολεμίων μόνον ἀλλὰ καὶ ὑπὸ τούτων πολιτῶν **46** οὗτων ἐπεβούλευεσθε ὅπως μήτ' ἀγαθὸν μηδὲν ψηφιεῖσθε πολλῶν τε ἐνδεεῖς ἔσεσθε. τοῦτο γὰρ [καὶ] ἡπίσταντο, ὅτι ἄλλως μὲν οὐχ οἷοί τε ἔσονται περιγενέσθαι, κακῶς δὲ πραττόντων δυνήσονται· καὶ ὑμᾶς ἡγοῦντο τῶν παρόντων κακῶν ἐπιθυμοῦντας ἀπαλλαγῆναι περὶ τῶν μελλόντων οὐκ ἐνθυμήσεσθαι. **47** ὡς τοίνυν τῶν ἐφόρων ἐγένετο, μάρτυρας ὑμῖν παρέξομαι, οὐ τοὺς τότε συμπράττοντας (οὐ γὰρ ἀν δυναίμην), ἀλλὰ τοὺς αὐτοῦ Ἐρατοσθένους ἀκούσαντας. καίτοι εὶ ἐσωφρόνουν κατεμαρτύρουν ἀν αὐτῶν, καὶ τοὺς διδασκάλους τῶν σφετέρων ἀμαρτημάτων σφόδρ' ἀν ἐκόλαζον, καὶ τοὺς ὄρκους, εὶ ἐσωφρόνουν, οὐκ ἀν ἐπὶ μὲν τοῖς τῶν πολιτῶν κακοῖς πιστοὺς ἐνόμιζον, ἐπὶ δὲ τοῖς τῆς πόλεως ἀγαθοῖς ῥᾳδίως παρέβαινον. πρὸς μὲν οὖν τούτους τοσαῦτα λέγω, τοὺς δὲ μάρτυράς μοι κάλει. Καὶ ὑμεῖς ἀνάβητε.

ΜΑΡΤΥΡΕΣ.

48 Τῶν μὲν μαρτύρων ἀκηκόατε. τὸ δὲ τελευταῖον εἰς τὴν ἀρχὴν καταστὰς ἀγαθοῦ μὲν οὐδενὸς μετέσχειν,

ἄλλων δὲ πολλῶν. καίτοι εἴπερ ἡν ἀνὴρ πίγαθός, ἐχρῆν
[ἄν] πρῶτον μὲν μὴ παρανόμως ἄρχειν, ἐπειτα τῇ βουλῇ
μηνυτὴν γίγνεσθαι περὶ τῶν εἰσαγγελιῶν ἀπασῶν, ὅτι
ψευδεῖς εἰεν, καὶ Βάτραχος καὶ Λίσχυλίδης οὐ τάληθή
μηνύουσιν, ἀλλὰ τὰ ὑπὸ τῶν τριάκοντα πλασθέντα
εἰσαγγέλλουσι, συγκείμενα ἐπὶ τῇ τῶν πολιτῶν βλάβῃ.
καὶ μὲν δή, ὡς ἄνδρες δικασταί, δοσοι κακόνοι ἡσαν τῷ 49
ὑμετέρῳ πλήθει, οὐδὲν ἔλαττον εἶχον σιωπῶντες· ἐτε-
ροι· γὰρ ἡσαν οἱ λέγοντες καὶ πρύττοντες ὡν οὐχ οἰόν
τ' ἡν μείζω κακὰ γενέσθαι τῇ πόλει. ὅπόσοι δ' εὗνοί
φασιν εἶναι, πῶς οὐκ ἐνταῦθα ἔδειξαν, αὐτοί τε τὰ βέλ-
τιστα λέγοντες καὶ τοὺς ἔξαμπτάνοντας ἀποτρέποντες;

"Ισως δ' ἀν ἔχοι εἰπεῖν ὅτι ἔδεδοίκει, καὶ ὑμῶν τοῦτο 50
ἐνίοις ἱκανὸν ἔσται. ὅπως τοίνυν μὴ φανήσεται ἐν τοῖς
λόγοις τοῖς τριάκοντα ἐναντιούμενος· εἰ δὲ μή, ἐνταυθοῖ
δῆλος ἔσται ὅτι ἐκεῖνά τε αὐτῷ ἥρεσκε, καὶ τοσοῦτον
ἔδύνατο ὥστε ἐναντιούμενος μηδὲν κακὸν παθεῖν ὑπ' αὐ-
τῶν. χρῆν δ' αὐτὸν ὑπὲρ τῆς ὑμετέρας σωτηρίας ταύ-
την τὴν προθυμίαν ἔχειν, ἀλλὰ μὴ ὑπὲρ Θηραμένους, δις
εἰς ὑμᾶς πολλὰ ἔξημπτεν. ἀλλ' οὐτος τὴν μὲν πόλιν 51
ἔχθραν ἐνόμιζεν εἶναι, τοὺς δ' ὑμετέρους ἔχθρους φίλους,
ώς ἀμφότερα ταῦτα ἔγω πολλοῖς τεκμηρίοις παραστήσω,
καὶ τὰς πρὸς ἄλλήλους διαφορὰς οὐχ ὑπὲρ ὑμῶν ἀλλ'
ὑπὲρ ἑαυτῶν γιγνομένας, ὅπότεροι [μόνοι] ταῦτα πρά-
ξουσι καὶ τῆς πόλεως ἄρξουσιν. καὶ γὰρ εἰ ὑπὲρ τῶν 52
ἀδικουμένων ἔστασίαζον, ποῦ κάλλιον [ἄν] ἡν ἀνδρὶ¹
ἄρχοντι, ἡ Θρασυβούλου Φυλὴν κατειληφότος, τότ'
ἐπιδείξασθαι τὴν αὐτοῦ εὔνοιαν; ὁ δ' ἀντὶ τοῦ ἐπαγ-

γείλασθαι τι ή πρᾶξαι ἀγαθὸν πρὸς τοὺς ἐπὶ Φυλῆ, ἐλθὼν μετὰ τῶν συναρχόντων εἰς Σαλαμῖνα καὶ Ἐλευ-
 σίνιδε τριακοσίους τῶν πολιτῶν ἀπῆγαγεν εἰς τὸ δεσμω-
 τήριον, καὶ μιᾶ ψήφῳ αὐτῶν ἀπάντων θάνατον κατεψη-
 ss φίσατο. ἐπειδὴ δὲ εἰς τὸν Πειραιᾶ ἥλθομεν καὶ αἱ
 ταραχαὶ γεγενημέναι ἡσαν καὶ περὶ τῶν διαλλαγῶν οἱ
 λόγοι ἐγίγνοντο, πολλὰς ἐκάτεροι ἐλπίδας εἶχομεν πρὸς
 ἀλλιόλους ἔσεσθαι ὡς ἀμφότεροι ἐδείξαμεν. οἱ μὲν γὰρ
 ἐκ Πειραιῶς κρείττους ὅντες εἴασαν αὐτοὺς ἀπελθεῖν.
 οἱ δὲ εἰς τὸ ἄστυ ἐλθόντες τοὺς μὲν τριάκοντα ἔξεβαλον
 πλὴν Φείδωνος καὶ Ἐρατοσθένους, ἀρχοντας δὲ τοὺς ἐκεί-
 νοις ἐχθίστους εἴλοντο, ήγουμενοι δικαίως ἀν ὑπὸ τῶν
 αὐτῶν τούς τε τριάκοντα μισεῖσθαι καὶ τοὺς ἐν Πειραιεῖ
 ss φιλεῖσθαι. τούτων τοίνυν Φείδων [ό τῶν τριάκοντα γενό-
 μενος] καὶ Ἰπποκλῆς καὶ Ἐπιχάρης ὁ Λαμπτρεὺς καὶ
 ἔτεροι οἱ δοκοῦντες εἶναι ἐναντιώτατοι Χαρικλεῖ καὶ Κρι-
 τίᾳ καὶ τῇ ἐκείνων ἐταιρείᾳ, ἐπειδὴ αὐτοὶ εἰς τὴν ἀρχὴν
 κατέστησαν, πολὺ μείζω στάσιν καὶ πόλεμον ἐπὶ τοὺς ἐν
 56 Πειραιεῖ τοὺς ἐξ ἄστεος ἐποίησαν· οἵς καὶ φανερῶς ἐπε-
 δείξαντο ὅτι οὐχ ὑπὲρ τῶν ἐν Πειραιεῖ οὐδὲ ὑπὲρ τῶν
 ἀδίκως ἀπολλυμένων ἔστασίαζον, οὐδὲ οἱ τεθνεῶτες αὐ-
 τοὺς ἐλύπουν, οὐδὲ οἱ μέλλοντες ἀποθανεῖσθαι, ἀλλ' οἱ
 57 μείζον δυνάμενοι καὶ θάττον πλουτοῦντες. λαβόντες
 γὰρ τὰς ἀρχὰς καὶ τὴν πόλιν ἀμφοτέροις ἐπολέμουν,
 τοὺς τε τριάκοντα πάντα κακὰ εἰργασμένοις καὶ ὑμῖν
 πάντα κακὰ πεπονθόσι. καίτοι τοῦτο πᾶσι δῆλον ἦν,
 ὅτι εἰ μὲν ἐκεῖνοι δικαίως ἔφευγον, ὑμεῖς ἀδίκως, εἰ δ'
 ὑμεῖς δικαίως, οἱ τριάκοντα ἀδίκως· οὐ γὰρ δὴ ἐτέρων

έργων αὐτίαν λαβόντες ἐκ τῆς πόλεως ἐξέπεσον, ἀλλὰ τούτων. ὥστε σφόδρα χρὴ ὄργιζεσθαι, ὅτι Φείδων αἵρε- 58 θεὶς ὑμᾶς διαλλάξαι καὶ καταγαγεῖν τῶν αὐτῶν ἔργων 'Ερατοσθένει μετεῖχε καὶ τῇ αὐτῇ γυνώμῃ τοὺς μὲν κρείττους αὐτῶν δι' ὑμᾶς κακῶς ποιεῖν ἔτοιμος ἦν, ὑμῖν δὲ ἀδίκως φεύγουσιν οὐκ ἡθέλησεν ἀποδοῦναι τὴν πόλιν, ἀλλ' ἐλθὼν εἰς Λακεδαιμόνα ἔπειθεν αὐτοὺς στρατεύεσθαι, διαβάλλων ὅτι Βοιωτῶν ἡ πόλις ἔσται, καὶ ἄλλα λέγων οἵς φέτο πείσειν μάλιστα. οὐ δυνάμενος 59 δὲ τούτων τυχεῖν, εἴτε καὶ τῶν Ἱερῶν ἐμποδὼν ὅντων εἴτε καὶ αὐτῶν οὐ βιολομένων, ἐκατὸν τάλαντα ἔδανείσατο, ἵνα ἔχοι ἐπικούρους μισθοῦσθαι. καὶ Λύσανδρον ἄρχοντα ἡτήσατο, εὐνούστατον μὲν ὅντα τῇ ὀλιγαρχίᾳ, κακονούστατον δὲ τῇ πόλει, μισοῦντα δὲ μάλιστα τοὺς ἐν Πειραιεῖ. μισθωσάμενοι δὲ πάντας ἀνθρώπους ἐπ' 60 ὀλέθρῳ τῆς πόλεως, καὶ πόλεις ἐπάγοντες, καὶ τελευτῶντες Λακεδαιμονίους καὶ τῶν συμμάχων ὅπόσους ἐδύναντο πεῖσαι, οὐ διαλλάξαι ἀλλ' ἀπολέσαι παρεσκευάζοντο τὴν πόλιν εἰ μὴ δι' ἄνδρας ἀγαθούς, οἵς ὑμεῖς δηλώσατε παρὰ τῶν ἐχθρῶν δίκην λαβόντες, ὅτι καὶ ἐκείνοις χάριν ἀποδώσετε. ταῦτα δὲ ἐπίστασθε μὲν εἰ καὶ αὐτοί, καὶ οὐδὲ ὅτι οὐ δεῖ μάρτυρας παρασχέσθαι. ὅμως δέ· ἐγώ τε γὰρ δέομαι ἀναπαύσασθαι, ὑμῶν τ' ἐνίοις ἥδιον ως πλείστων τοὺς αὐτοὺς λόγους ἀκούειν.

ΜΑΡΤΥΡΕΣ.

Φέρε δὴ καὶ περὶ Θηραμένους ως ἀν δύνωμαι διὰ 62 Βραχυτάτων διδάξω. δέομαι δ' ὑμῶν ἀκοῦσαι ὑπέρ τ'

έμαυτοῦ καὶ τῆς πόλεως. καὶ μηδενὶ τοῦτο προσστῆ, ώς Ἐρατοσθένους κινδυνεύοντος Θηραμένους κατηγορῶ· πυνθάνομαι γάρ ταῦτα ἀπολογήσεσθαι αὐτόν, ὅτι ἐκείνῳ φίλος ἦν καὶ τῶν αὐτῶν ἔργων μετεῖχε. καίτοι σφόδρ' ἀν αὐτὸν οἴμαι μετὰ Θεμιστοκλέους πολιτευόμενον προσποιεῖσθαι πράττειν ὅπως οἰκοδομηθήσεται τὰ τείχη, ὅπότε καὶ μετὰ Θηραμένους ὅπως καθαιρεθήσεται. οὐ γάρ μοι δοκοῦσιν ἵσου ἄξιοι γεγενῆσθαι· ὁ μὲν γάρ Δακεδαιμονίων ἀκόντων φύκοδόμησεν αὐτά, οὗτος δὲ τοὺς πολίτας ἔξαπατήσας καθεῖλε. περιέστηκεν οὖν τῇ πόλει τούναντίον ἡ ὡς εἰκὸς ἦν. ἄξιον μὲν γάρ καὶ τοὺς φίλους τοὺς Θηραμένους προσαπολωλέναι, πλὴν εἴ τις ἐτύγχανεν ἐκείνῳ τάναντία πράττων. οὐν δὲ ὄρῳ τάς τε ἀπολογίας εἰς ἐκείνον ἀναφερομέναις, τούς τ' ἐκείνῳ συνόντας τιμᾶσθαι πειρωμένους, ὥσπερ πολλῶν ἀγαθῶν αἰτίου ἀλλ' οὐ μεγάλων κακῶν γεγενημένου. ὃς πρῶτον μὲν τῆς προτέρας ὀλυγαρχίας αἰτιώτατος ἐγίνετο, πείσας ὑμᾶς τὴν ἐπὶ τῶν τετρακοσίων πολιτείαν ἐλέσθαι. καὶ ὁ μὲν πατὴρ αὐτοῦ τῶν προβούλων ὃν ταῦτ' ἔπραττει, αὐτὸς δὲ δοκῶν εὐνούστατος εἶναι τοῖς πρώγμασι στρατηγὸς ὑπ' αὐτῶν ἡρέθη. καὶ ἔως μὲν ἐτιμᾶτο, πιστὸν ἔαυτὸν παρεῖχεν· ἐπειδὴ δὲ Πείσανδρον μὲν καὶ Κάλλαισχρον καὶ ἑτέρους ἔώρα προτέρους αὐτοῦ γυγνομένους, τὸ δὲ ὑμέτερον πλῆθος οὐκέτι βουλόμενον τούτων ἀκροᾶσθαι, τότε ἦδη διά τε τὸν πρὸς ἐκείνους φθόνον καὶ τὸ παρ' ὑμῶν δέος μετέσχε τῶν Ἀριστοκράτους ἔργων. βουλόμενος δὲ τῷ ὑμετέρῳ πλῆθει δοκεῖν πιστὸς εἶναι Ἀντιφῶντα καὶ Ἀρχεπτόλεμον φιλτάτους οὗτας αὐτῷ

κατηγορῶν ἀπέκτεινεν, εἰς τοσοῦτον δὲ κακίας ἥλθεν, ὥστε ἄμα μὲν διὰ τὴν πρὸς ἐκείνους πίστιν ὑμᾶς κατεδουλώσατο, διὸ δὲ τὴν πρὸς ὑμᾶς τοὺς φίλους ἀπώλεσε. τιμώμενος δὲ καὶ τῶν μεγίστων ἀξιούμενος, αὐτὸς ἐπαγγειλάμενος σώσειν τὴν πόλιν αὐτὸς ἀπώλεσε, φάσκων πρᾶγμα εύρηκέναι μέγα καὶ πολλοῦ ἄξιον. ὑπέσχετο δὲ εἰρήνην ποιήσειν μήτε ὅμηρα δοὺς μήτε τὰ τείχη καθελῶν μήτε τὰς ναῦς παραδούς· ταῦτα δὲ εἰπεῖν μὲν οὐδενὶ ἡθέλησεν, ἐκέλευσε δὲ αὐτῷ πιστεύειν. ὑμεῖς δέ, ὡς ἄνδρες Ἀθηναῖοι, πραττούσης μὲν τῆς ἐν Ἀρείῳ πάγῳ βουλῆς σωτήρια, ἀντιλεγόντων δὲ πολλῶν Θηραμένειν, εἰδότες δὲ ὅτι οἱ μὲν ἄλλοι ἄνθρωποι τῶν πολεμίων ἔνεκεν τάπορητα ποιοῦνται, ἐκεῖνος δ' ἐν τοῖς αὐτοῦ πολίταις οὐκ ἡθέλησεν εἰπεῖν ταῦτα ἀ πρὸς τοὺς πολεμίους ἔμελλεν ἔρειν, ὅμως ἐπετρέψατε αὐτῷ πατρίδα καὶ παῖδας καὶ γυναῖκας καὶ ὑμᾶς αὐτούς. ὁ δὲ τὸν μὲν ὑπέσχετο οὐδὲν ἐπράξεν, οὔτως δὲ ἐνετεθύμητο ὡς χρὴ μικρὰν καὶ ἀσθενῆ γενέσθαι τὴν πόλιν, ὥστε περὶ ὧν οὐδεὶς πώποτε οὔτε τῶν πολεμίων ἐμνήσθη οὔτε τῶν πολιτῶν ἥλπισε, ταῦθ' ὑμᾶς ἐπεισε πρᾶξαι. οὐχ ὑπὸ Λακεδαιμονίων ἀναγκαζόμενος, ἀλλ' αὐτὸς ἐκείνοις ἐπαγγελλόμενος, τοῦ τε Πειραιῶς τὰ τείχη περιελένη καὶ τὴν ὑπάρχουσαν πολιτείαν καταλῦσαι, εὐ εἰδὼς ὅτι, εἰ μὴ πασῶν τῶν ἐλπίδων ἀποστρηθήσεσθε, ταχεῖαν παρ' αὐτοῦ τὴν τιμωρίαν κομιεῖσθε. καὶ τὸ τελευταῖον, οὐ ἄνδρες δικασταί, οὐ πρότερον εἴασε τὴν ἐκκλησίαν γενέσθαι, ἔως ὃ λεγόμενος ὑπ' ἐκείνων καιρὸς ἐπιμελῶς ὑπ' αὐτοῦ ἐτηρήθη, καὶ μετεπέμψατο μὲν τὰς μετὰ

Λυσάνδρου ναῦς ἐκ Σάμου, ἐπεδήμησε δὲ τὸ τῶν πολε-
 τῶν μίων στρατόπεδον. τότε δὲ τούτων ὑπαρχόντων, καὶ
 παρόντων Λυσάνδρου καὶ Φιλοχάρους καὶ Μιλτιάδου,
 περὶ τῆς πολιτείας τὴν ἐκκλησίαν ἐποίουν, ὥνα μήτε
 ρήτωρ αὐτοῖς μηδεὶς ἐναντιοῦτο μηδὲ διαπειλοῦτο, ὑμεῖς
 τε μὴ τὰ τῇ πόλει συμφέροντα ἔλοισθε, ἀλλὰ τάκείνοις
 δοκοῦντα ψηφίσαισθε. ἀναστὰς δὲ Θηραμένης ἐκέλευ-
 σεν ὑμᾶς τριάκοντα ἀνδράσιν ἐπιτρέψαι τὴν πόλιν, καὶ
 τῇ πολιτείᾳ χρῆσθαι ἦν Δρακοντίδης ἀπέφαινεν. ὑμεῖς
 δ' ὄμως καὶ οὕτω διακείμενοι ἐθορυβεῖτε ὡς οὐ ποιήσου-
 τες ταῦτα· ἐγιγνώσκετε γὰρ ὅτι περὶ δουλείας καὶ ἐλευ-
 θερίας ἐν ἐκείνῃ τῇ ἡμέρᾳ ἐξεκλησιάζετε. Θηραμένης δέ,
 ὡς ἄνδρες δικασταί, (καὶ τούτων ὑμᾶς αὐτοὺς μάρτυρας
 παρέξομαι) εἶπεν ὅτι οὐδὲν αὐτῷ μέλοι τοῦ ὑμετέρου
 θορύβου, ἐπειδὴ πολλοὺς μὲν Ἀθηναίων εἰδείη τοὺς τὰ
 ὅμοια πράττοντας αὐτῷ, δοκοῦντα δὲ Λυσάνδρῳ καὶ
 Λακεδαιμονίοις λέγοι. μετ' ἐκείνον δὲ Λύσανδρος ἀνα-
 στὰς ἀλλὰ τε πολλὰ εἶπε καὶ ὅτι παρασπόνδους ὑμᾶς
 ἔχοι, καὶ ὅτι οὐ περὶ πολιτείας ὑμῶν ἔσται ἀλλὰ περὶ
 των σωτηρίας, εἰ μὴ ποιήσαιθ' ἀ Θηραμένης κελεύοι. τῶν
 δ' ἐν τῇ ἐκκλησίᾳ ὅσοι ἄνδρες ἀγαθοὶ ἦσαν, γνόντες τὴν
 παρασκευὴν καὶ τὴν ἀνάγκην, οἱ μὲν αὐτοῦ μένοντες
 ἡσυχίαν ἥργον, οἱ δ' ὕχοντο ἀπιόντες, τοῦτο γοῦν σφίσιν
 αὐτοῖς συνειδότες, ὅτι οὐδὲν κακὸν τῇ πόλει ἐψηφί-
 σαντο· διίγοι δέ τινες καὶ πονηροὶ καὶ κακῶς βουλευό-
 το μενοι τὰ προσταχθέντα ἐχειροτόνησαν. παρήγγελτο
 γὰρ αὐτοῖς δέκα μὲν οὓς Θηραμένης ἀπέδειξε χειροτονῆ-
 σαι, δέκα δὲ οὓς οἱ καθεστηκότες ἔφοροι κελεύοιεν, δέκα

δ' ἐκ τῶν παρόντων· οὗτοι γάρ τὴν ὑμετέραν ἀσθένειαν
έώρων καὶ τὴν αὐτῶν δύναμιν ἡπίσταντο, ὥστε πρότε-
ρον ἥδεσαν τὰ μέλλοντα ἐν τῇ ἐκκλησίᾳ πραχθήσεσθαι.
ταῦτα δὲ οὐκ ἐμοὶ δεῖ πιστεῦσαι, ἀλλὰ ἐκείνῳ· πάντα π
γάρ τὰ ὑπ' ἐμοῦ εἰρημένα ἐν τῇ βουλῇ ἀπολογούμενος
ἔλεγεν, ὃνειδίζων μὲν τοῖς φεύγουσιν, ὅτι δὶ αὐτὸν κα-
τέλθοιεν, οὐδὲν φροντιζόντων Λακεδαιμονίων, ὃνειδίζων
δὲ τοῖς τῆς πολιτείας μετέχουσιν ὅτι πάντων τῶν πε-
πραγμένων τοῖς εἰρημένοις τρόποις ὑπ' ἐμοῦ αὐτὸς αἴτιος
γεγενημένος τοιούτων τυγχάνοι, πολλὰς πίστεις αὐτὸς
ἔργῳ δεδωκὼς καὶ παρ' ἐκείνων δρκους εἰληφώς. καὶ ^{τις}
τοσούτων καὶ ἑτέρων κακῶν καὶ αἰσχρῶν καὶ πύλαι καὶ
νεωστὶ καὶ μικρῶν καὶ μεγάλων αἴτιον γεγενημένου
τολμήσουσιν αὐτοὺς φίλους ὄντας ἀποφαίνειν, οὐχ ὑπὲρ
ὑμῶν ἀποθανόντος Θηραμένους ἀλλ' ὑπὲρ τῆς αὐτοῦ πο-
νηρίας, καὶ δικαίως μὲν ἐν ὀλιγαρχίᾳ δίκην δόντος (ἥδη
γάρ αὐτὴν κατέλυσε), δικαίως δ' ἀν ἐν δημοκρατίᾳ· δις
γάρ ὑμᾶς κατεδουλώσατο, τῶν μὲν παρόντων καταφρο-
νῶν, τῶν δὲ ἀπόντων ἐπιθυμῶν, καὶ τῷ καλλίστῳ ὄνό-
ματι χρώμενος δεινοτάτων ἔργων διδάσκαλος καταστάς.

Περὶ μὲν τοίνυν Θηραμένους ἴκανά μοὶ ἔστι τὰ κατηγορημένα· ἥκει δ' ὑμὲν ἐκεῖνος ὁ καιρός, ἐν φῷ δεῖ συγγνώμην καὶ ἔλεον μὴ εἶναι ἐν ταῖς ὑμετέραις γυνώμαις, ἀλλὰ παρὰ Ἐρατοσθένους καὶ τῶν τούτου συναρχόντων δίκην λαβεῖν, μηδὲ μαχομένους μὲν κρείττους εἶναι τῶν πολεμίων, ψηφιζομένους δὲ ἥττους τῶν ἔχθρῶν. μηδ' ὡν φασι μέλλειν πράξειν πλείω χάριν αὐτοῖς ἵστε, ^{τις} ἡ ὡν ἐποίησαν ὄργιζεσθε· μηδ' ἀποῦσι μὲν τοῖς τριά-

κοντα ἐπιβουλεύετε, παρόντας δ' ἀφῆτε· μηδὲ τῆς τύχης, ἡ τούτους παρέδωκε τῇ πόλει, κάκιον ὑμῖν αὐτοῖς βοηθήσητε.

ει. Κατηγόρηται δὴ Ἐρατοσθένους καὶ τῶν τούτου φίλων, οἵς τὰς ἀπολογίας ἀνοίσει καὶ μεθ' ὧν αὐτῷ ταῦτα πέπρακτα. ὁ μέντοι ἀγὼν οὐκ ἐξ ἴσου τῇ πόλει καὶ Ἐρατοσθένει· οὗτος μὲν γὰρ κατήγορος καὶ δικαστὴς αὐτὸς ἦν τῶν κρινομένων, ἡμεῖς δὲ νῦν εἰς κατηγορίαν καὶ ἀπολογίαν καθέσταμεν. καὶ οὗτοι μὲν τοὺς οὐδὲν ἀδικοῦντας ἀπέκτειναν ἀκρίτους, ὑμεῖς δὲ τοὺς ἀπολέσαντας τὴν πόλιν κατὰ τὸν νόμον ἀξιοῦτε κρίνειν, παρὸν οὐδ' ἀν παρανόμως βουλόμενοι δίκην λαμβάνειν ἀξίαν τῶν ἀδικημάτων ὧν τὴν πόλιν ἡδικήκαστι λάβοιτε. τί γὰρ ἀν παθόντες δίκην τὴν ἀξίαν εἴησαν τῶν ἔργων δεδωκότες; πότερον εὶς αὐτοὺς ἀποκτείνοντε καὶ τοὺς παιδας αὐτῶν, ἵκανὴν ἀν τοῦ φόνου δίκην λάβοιμεν, ὧν οὗτοι πατέρας καὶ νιεῖς καὶ ἀδελφοὺς ἀκρίτους ἀπέκτειναν; ἀλλὰ γὰρ εὶς τὰ χρήματα τὰ φανερὰ δημεύστε, καλῶς ἀν ἔχοι ἡ τῇ πόλει, ἦς οὗτοι πολλὰ εἰλήφασιν, ἡ τοῖς ἴδιώταις, ὧν τὰς οἰκίας ἐξεπόρθησαν; ἐπειδὴ τοίνυν πάντα ποιοῦντες δίκην παρὸν αὐτῶν οὐκ ἀν δύναισθε λαβεῖν, πῶς οὐκ ἀσχρὸν ὑμῖν καὶ ἡντινοῦν ἀπολιπεῖν, ἡντινά τις βούλοιτο παρὰ τούτων λαμβάνειν; πᾶν δ' ἀν μοι δοκεῖ τολμῆσαι, ὅστις νῦν οὐχ ἐτέρων ὄντων τῶν δικαστῶν ἀλλ' αὐτῶν τῶν κακῶς πεπονθότων, ἥκει ἀπολογησόμενος πρὸς αὐτοὺς τοὺς μάρτυρας τῆς τούτου πονηρίας· τοσοῦτον ἡ ὑμῶν καταπεφρόνηκεν ἡ ἐτέροις πεπίστευκεν. ὧν ἀμφοτέρων ἄξιον ἐπιμεληθῆναι, ἐνθυ-

μουμένους ὅτι οὗτ' ἀν ἐκεῖνα ἐδύναντο ποιεῖν μὴ ἐτέρων συμπραττόντων οὗτ' ἀν νῦν ἐπεχειρησαν ἐλθεῖν μὴ ὑπὸ τῶν αὐτῶν οἰόμενοι σωθῆσεσθαι, ὃν οὐ τούτοις ἥκουσι θοηθήσοντες, ἀλλὰ ἡγούμενοι πολλὴν ἄδειαν σφίσιν ἔσεσθαι τῶν τε πεπραγμένων καὶ τοῦ λοιποῦ ποιεῖν ὅτι ἀν βούλωνται, εἰ τοὺς μεγίστων κακῶν αἰτίους λαβόντες ἀφήσετε.

Ἄλλὰ καὶ τῶν συνερούντων αὐτοῖς ἄξιον θαυμάζειν, ^{ας} πότερον ὡς καλοὶ κάγαθοὶ αἰτήσονται, τὴν αὐτῶν ἀρετὴν πλείσινος ἀξίαν ἀποφαίνοντες τῆς τούτων πονηρίας· ἐβουλόμην μέντ' ἀν αὐτοὺς οὕτω προθύμους εἶναι σώζειν τὴν πόλιν, ὡσπερ οὗτοι ἀπολλύναι· ἡ ὡς δεινοὶ λέγειν ἀπολογήσονται καὶ τὰ τούτων ἔργα πολλοῦ ἄξια ἀποφανοῦσιν. ἀλλ' οὐχ ὑπὲρ ίμῶν οὐδεὶς αὐτῶν οὐδὲ τὰ δίκαια πώποτε ἐπεχειρησεν εἰπεῖν.

Ἄλλὰ τοὺς μάρτυρας ἄξιον ἴδειν, ὃν τούτοις μαρτυροῦντες αὐτῶν κατηγοροῦσι, σφόδρα ἐπιλήσμονας καὶ εὐήθεις νομίζοντες ὑμᾶς εἶναι, εἰ διὰ μὲν τὸ ὑμέτερον πλῆθος ἄδεως ἡγοῦνται τοὺς τριάκοντα σώσειν, διὰ δὲ Ἐρατοσθένην καὶ τοὺς συνάρχοντας αὐτοῦ δεινὸν ἦν καὶ τῶν τεθνεώτων ἐπ' ἐκφορὰν ἐλθεῖν. καίτοι οὗτοι μὲν ^{ες} σωθέντες πάλιν ἀν δύναντο τὴν πόλιν ἀπολέσαι· ἐκεῖνοι δέ, οὓς οὗτοι ἀπώλεσαν, τελευτήσαντες τὸν βίον πέρας ἔχουσι τῆς παρὰ τῶν ἔχθρῶν τιμωρίας. οὐκ οὖν δεινὸν εἰ τῶν μὲν ἀδίκως τεθνεώτων οἱ φίλοι· συναπώλλυντο, αὐτοῖς δὲ τοῖς τὴν πόλιν ἀπολέσασι δήπου ἐπ' ἐκφορὰν πολλοὶ ἥξουσιν, ὅπότε βοηθεῖν τοσοῦτοι παρασκευάζονται; καὶ μὲν δὴ πολλῷ ῥᾷον ἡγοῦμαι εἶναι ^{ες}

νπὲρ ὃν ὑμεῖς ἐπάσχετε ἀντειπεῖν, ἡ νπὲρ ὃν οὗτοι πεποιήκασιν ἀπολογήσασθαι. καίτοι λέγουσιν ὡς Ἐρατοσθένει ἐλάχιστα τῶν τριάκοντα κακὰ εἴργασται, καὶ διὰ τοῦτο αὐτὸν ἀξιοῦσι σωθῆναι. ὅτι δὲ τῶν ἄλλων Ἐλλήνων πλεῖστα εἰς ὑμᾶς ἔξημάρτηκεν, οὐκ οἴονται χρῆναι αὐτὸν ἀπολέσθαι. ὑμεῖς δὲ δείξετε ἡμῖνα γνώμην ἔχετε περὶ τῶν πραγμάτων. εἰ μὲν γὰρ τούτου καταψήφιεῖσθε, δῆλοι ἔσεσθε ὡς ὁργιζόμενοι τοῖς πεπραγμένοις· εἰ δὲ ἀποψηφιεῖσθε, ὀφθήσεσθε τῶν αὐτῶν ἔργων ἐπιθυμητὰ τούτοις ὅντες, καὶ οὐχ ἔξετε λέγειν ὅτι τὰ ὑπὸ τῶν τριάκοντα προσταχθέντα ἐποιεῖτε· νυνὶ μὲν γὰρ οὐδεὶς ὑμᾶς ἀναγκάζει παρὰ τὴν ὑμετέραν γνώμην ἀποψηφίζεσθαι. ὡστε συμβουλεύω μὴ τούτων ἀποψηφισταμένους ὑμῶν αὐτῶν καταψήφισασθαι. μηδὲ οἴεσθε κρύβδην εἶναι τὴν ψῆφον· φανερὰν γὰρ τῇ πόλει τὴν ὑμετέραν γνώμην ποιήσετε.

92 Βούλομαι δὲ ὀλίγα ἔκατέρους ἀναμνήσας καταβαίνειν, τοὺς τε ἐξ ἄστεος καὶ τοὺς ἐκ Πειραιῶς, ἵνα τὰς ὑμῖν διὰ τούτων γεγενημένας συμφορὰς παραδείγματα ἔχοντες τὴν ψῆφον φέρητε. καὶ πρῶτον μὲν ὅσοι ἐξ ἄστεος ἔστε, σκέψασθε ὅτι ὑπὸ τούτων οὕτω σφόδρα ἥρχεσθε, ὡστε ἀδελφοῖς καὶ νιέσι καὶ πολίταις ἡναγκάζεσθε πολεμεῖν τοιοῦτον πόλεμον, ἐν φέτηθέντες μὲν τοῖς νικήσασι τὸ ἵσον ἔχετε, νικήσαντες δὲ ἄν τούτοις ἐδουλεύετε. καὶ τοὺς ἰδίους οἴκους οὗτοι μὲν ἐκ τῶν πραγμάτων μεγάλους ἐκτήσαντο, ὑμεῖς δὲ διὰ τὸν πρὸς ἄλλήλους πόλεμον ἐλάττους ἔχετε· συνωφελεῖσθαι μὲν γὰρ ὑμᾶς οὐκ ἡξίουν, συνδιαβάλλεσθαι δὲ ἡνάγκαζον,

εἰς τοσοῦτον ὑπεροψίας ἐλθόντες ὥστε οὐ τῶν ἀγαθῶν κοινούμενοι πιστοὺς ὑμᾶς ἐκτῶντο, ἀλλὰ τῶν ὀνειδῶν μεταδιδόντες εὑνους φοντο εἶναι. ἀνθ' ὧν ὑμεῖς νῦν ἐν τῷ Θαρραλέῳ ὅντες, καθ' ὅσον δύνασθε καὶ ὑπὲρ ὑμῶν αὐτῶν καὶ ὑπὲρ τῶν ἐκ Πειραιῶς τιμωρήσασθε, ἐνθυμηθέντες μὲν ὅτι ὑπὸ τούτων πονηροτάτων ὅντων ἡρχεσθε, ἐνθυμηθέντες δὲ ὅτι μετ' ἀνδρῶν νῦν ἀρίστων πολιτεύεσθε καὶ τοὺς πολεμίους μάχεσθε καὶ περὶ τῆς πόλεως βουλεύεσθε, ἀναμνησθέντες δὲ τῶν ἐπικούρων, οὓς οὐτοι φύλακας τῆς σφετέρας ἀρχῆς καὶ τῆς ὑμετέρας δουλείας εἰς τὴν ἀκρόπολιν κατέστησαν. καὶ πρὸς ὑμᾶς μὲν ἔτι πολλῶν ὅντων εἰπεῖν τοσαῦτα λέγω. ὅσοι δ' ἐκ Πειραιῶς ἔστε, πρῶτον μὲν τῶν ὅπλων ἀναμνήσθητε, ὅτι πολλὰς μάχας ἐν τῇ ἀλλοτρίᾳ μαχεσάμενοι οὐχ ὑπὸ τῶν πολεμίων ἀλλ' ὑπὸ τούτων εἰρήνης οῦστης ἀφηρέθητε τὰ ὅπλα, ἐπειθ' ὅτι ἔξεκηρύχθητε μὲν ἐκ τῆς πόλεως, ἦν νῦν οἱ πατέρες παρέδοσαν, φεύγοντας δὲ ὑμᾶς ἐκ τῶν πόλεων ἔξηγοῦντο. ἀνθ' ὧν ὄργισθητε μὲν ὥσπερ ὅτ' ἐφεύγετε, ἀναμνήσθητε δὲ καὶ τῶν ἄλλων κακῶν ἢ πεπόνθατε ὑπ' αὐτῶν, οἱ τοὺς μὲν ἐκ τῆς ἀγορᾶς τοὺς δ' ἐκ τῶν ἱερῶν συναρπάζοντες βιαίως ἀπέκτειναν, τοὺς δὲ ἀπὸ τέκνων καὶ γονέων καὶ γυναικῶν ἀφέλκουντες φονέας αὐτῶν ἡνάγκασαν γενέσθαι καὶ οὐδὲ ταφῆς τῆς νομιζομένης εἴασαν τυχεῖν, ἡγούμενοι τὴν αὐτῶν ἀρχὴν βεβαιοτέραν εἶναι τῆς παρὰ τῶν θεῶν τιμωρίας. ὅσοι δὲ τὸν θάνατον διέφυγον, πολλαχοῦ κινδυνεύσαντες καὶ εἰς πολλὰς πόλεις πλανηθέντες καὶ πανταχόθεν ἔκκηρυττόμενοι, ἐνδεεῖς ὅντες τῶν ἐπιτη-

δείων, οἱ μὲν ἐν πολεμίᾳ τῇ πατρίδι τοὺς παῖδας καταλιπόντες, οἱ δὲ ἐν ξένῃ γῇ, πολλῶν ἐναντιουμένων ἥλθετε εἰς τὸν Πειραιᾶ. πολλῶν δὲ καὶ μεγάλων κινδύνων ὑπαρξάντων ἄνδρες ἀγαθοὶ γενόμενοι τοὺς μὲν ἥλευθε-
ς ρώσατε, τοὺς δὲ εἰς τὴν πατρίδα κατηγάγετε. εἰ δὲ ἔδυστυχήσατε καὶ τούτων ἡμάρτετε, αὐτοὶ μὲν ἀν δεί-
σαντες ἐφεύγετε μὴ πάθητε τοιαῦτα οἷα καὶ πρότερον,
καὶ οὕτ’ ἀν ιερὰ οὔτε βωμοὶ ὑμᾶς ἀδικουμένους διὰ τοὺς
τούτων τρόπους ὀφέλησαν, ἀ καὶ τοῖς ἀδικοῦσι σωτήρια
γίγνεται· οἱ δὲ παῖδες ὑμῶν, ὅσοι μὲν ἐνθάδε ἦσαν, ὑπὸ⁹⁸
τούτων ἀν ὑβρίζοντο, οἱ δὲ ἐπὶ ξένης μικρῶν ἀν ἔνεκα
συμβολαίων ἐδούλευνον ἐρημίᾳ τῶν ἐπικουρησόντων.

99 Ἀλλὰ γὰρ οὐ τὰ μέλλοντα ἔσεσθαι βούλομαι λέγειν,
τὰ πραχθέντα ὑπὸ τούτων οὐ δυνάμενος εἰπεῖν· οὐδὲ
γὰρ ἐνὸς κατηγόρου οὐδὲ δυοῖν ἔργον ἔστιν, ἀλλὰ πολ-
λῶν. ὅμως δὲ τῆς ἐμῆς προθυμίας οὐδὲν ἐλλείπεται,
ὑπέρ τε τῶν ιερῶν, ἀ οὗτοι τὰ μὲν ἀπέδοντο τὰ δὲ ἐισιόν-
τες ἐμίανουν, ὑπέρ τε τῆς πόλεως, ἣν μικρὰν ἐποίουν,
ὑπέρ τε τῶν νεωρίων, ἀ καθεῖλον, καὶ ὑπέρ τῶν τεθνεώ-
των, οἷς ὑμεῖς, ἐπειδὴ ζῶσιν ἐπαμῦναι οὐκ ἥδυνασθε,
τοο ἀποθανοῦσι βοηθήσατε. οἷμαι δὲ αὐτοὺς ἡμῶν τε ἀκρο-
ᾶσθαι καὶ ὑμᾶς εἴσεσθαι τὴν ψῆφον φέροντας, ἥγουμέ-
νους, ὅσοι μὲν ἀν τούτων ἀποψηφίσησθε, αὐτῶν θάνατον
καταψηφιεῖσθαι, ὅσοι δὲ ἀν παρὰ τούτων δίκην λάβω-
σιν, ὑπὲρ αὐτῶν τὰς τιμωρίας πεποιημένους.

Παύσομαι κατηγορῶν. ἀκηκόατε, ἐωράκατε, πεπόν-
θατε, ἔχετε· δικάξετε.

XXV.

ΔΗΜΟΥ ΚΑΤΑΛΥΣΕΩΣ ΑΠΟΛΟΓΙΑ.

ΤΜΙΝ μὲν πολλὴν συγγνώμην ἔχω, ὡς ἄνδρες δικασταί, ἀκούοντες τοιούτων λόγων καὶ ἀναμιμησκομένοις τῶν γεγενημένων, ὁμοίως ἅπασιν ὀργίζεσθαι τοῖς ἐν ἄστει μείνασι· τῶν δὲ κατηγόρων θαυμάζω, οὐ ἀμελοῦντες τῶν οἰκείων τῶν ἀλλοτρίων ἐπιμελοῦνται· καὶ σαφῶς εἰδότες τοὺς μηδὲν ἀδικοῦντας καὶ τοὺς πολλὰ ἐξημαρτηκότας ζητοῦντες [κερδαίνειν, ἦ] ὑμᾶς πείθειν περὶ ἀπάντων ἡμῶν τὴν γνώμην ταύτην ἔχειν. εἰ μὲν οὖν οἴονται, ἂν ὑπὸ τῶν τριάκοντα γεγένηται τῇ πόλει, [πάνθ' ὁμοῦ] κατηγορηκέναι, ἀδυνάτους αὐτοὺς ἡγοῦμαι λέγειν· οὐδὲ γὰρ πολλοστὸν μέρος τῶν ἑκείνοις πεπραγμένων εἰρήκασιν· εἰ δὲ ὡς ἐμοὶ τι προσῆκον περὶ αὐτῶν ποιοῦνται τοὺς λόγους, ἀποδεῖξω τούτους μὲν ἅπαντα ψευδομένους, ἐμαυτὸν δὲ τοιοῦτον ὄντα οἰόσπερ ἀν τῶν ἐκ Πειραιῶς ὁ βέλτιστος ἐν ἄστει μείνας ἐγένετο. δέο-
μαι δ' ὑμῶν, ὡς ἄνδρες δικασταί, μὴ τὴν αὐτὴν γνώμην ἔχειν τοῖς συκοφάνταις. τούτων μὲν γὰρ ἔργου ἔστι καὶ τοὺς μηδὲν ἡμαρτηκότας εἰς αἰτίαν καθιστάναι (ἐκ τούτων γὰρ ἀν μάλιστα χρηματίζοιντο), ὑμέτερον δὲ τοῖς μηδὲν ἀδικοῦσιν ἐξ ἵσου τῆς πολιτείας μεταδιδόναι· οὕτω γὰρ ἀν τοῖς καθεστηκόσι πράγμασι πλείστους συμμάχους ἔχοιτε. ἀξιῶ δέ, ὡς ἄνδρες δικασταί, ἐὰν 4

ἀποφήνω συμφορᾶς μὲν μηδεμιᾶς αἴτιος γεγενημένος,
πολλὰ δὲ κάγαθὰ εἰργασμένος τὴν πόλιν καὶ τῷ σώματι
καὶ τοῖς χρήμασι, ταῦτα γοῦν μοι παρ' ὑμῶν ὑπάρχειν,
ῶν οὐ μόνον τοὺς εὐ πεποιηκότας ἀλλὰ καὶ τοὺς μηδὲν
5 ἀδικοῦντας τυγχάνειν δίκαιον ἔστι. μέγα μὲν οὖν ἡγοῦ-
μαι [έμοὶ] τεκμήριον εἶναι, ὅτι, εἴπερ ἐδύναντο οἱ κατή-
γοροι ἴδιᾳ με ἀδικοῦντα ἐξελέγξαι, οὐκ ἀν τὰ τῶν
τριάκοντα ἀμαρτήματα ἐμοῦ κατηγόρουν, οὐδ' ἀν φοντο
χρῆναι ὑπὲρ τῶν ἐκείνοις πεπραγμένων ἐτέρους διαβάλ-
λειν, ἀλλ' αὐτοὺς τοὺς ἀδικοῦντας τιμωρεῖσθαι· νῦν δὲ
νομίζουσι τὴν πρὸς ἐκείνους ὅργην ἴκανὴν εἶναι καὶ τοὺς
6 μηδὲν κακὸν εἰργασμένους ἀπολέσαι. ἐγὼ δὲ οὐχ ἡγοῦ-
μαι δίκαιον εἶναι οὔτε εἴ τινες τῇ πόλει πολλῶν ἀγαθῶν
αἴτιοι γεγένηται, ἄλλους τινὰς ὑπὲρ τούτων τιμὴν ἡ
χάριν κομίσασθαι παρ' ὑμῶν, οὕτ' εἴ τινες πολλὰ κακὰ
εἰργασμένοι εἰσίν, εἰκότως ἀν δι' ἐκείνους τοὺς μηδὲν
ἀδικοῦντας ὄνείδους καὶ διαβολῆς τυγχάνειν· ἴκανοὶ γὰρ
οἱ ὑπάρχοντες ἔχθροὶ τῇ πόλει καὶ μέγα κέρδος νομί-
ζοντες εἶναι τοὺς ἀδίκως ἐν ταῖς διαβολαῖς καθεστη-
κότας.

7 Πειράσομαι δ' ὑμᾶς διδάξαι, οὓς ἡγοῦμαι τῶν πολι-
τῶν προσήκειν ὀλιγαρχίας ἐπιθυμεῖν καὶ δημοκρατίας.
ἐκ τούτου γὰρ καὶ ὑμεῖς γνώσεσθε, [κάγὼ περὶ ἐμαυτοῦ
τὴν ἀπολογίαν ποιήσομαι, ἀποφαίνων] ὡς οὔτε ἐξ ὧν
ἐν δημοκρατίᾳ οὔτε ἐξ ὧν ἐν ὀλιγαρχίᾳ πεποίηκα, οὐδέν
μοι προσῆκον κακόνουν εἶναι τῷ πλήθει τῷ ὑμετέρῳ.
8 πρῶτον μὲν οὖν ἐνθυμηθῆναι χρὴ ὅτι οὐδείς ἔστιν ἀν-
θρώπων φύσει οὔτε ὀλιγαρχικὸς οὔτε δημοκρατικός, ἀλλ'

ἥτις ἀν ἐκάστῳ πολιτείᾳ συμφέρη, ταύτην προθυμεῖται καθιστάναι· ὅστε οὐκ ἐλάχιστον ἐν ὑμῖν ἔστι μέρος ὡς πλείστους ἐπιθυμεῖν τῶν παρόντων νυνὶ πραγμάτων. καὶ ταῦτα ὅτι οὕτως ἔχει, οὐ χαλεπῶς ἐκ τῶν πρότερον γεγενημένων μαθήσεσθε· σκέψασθε γάρ, ὡς ἄνδρες δι- , κασταί, τοὺς προστάτας ἀμφοτέρων τῶν πολιτειῶν, ὁσάκις δὴ μετεβάλλοντο. οὐ Φρύνιχος μὲν καὶ Πείσανδρος καὶ οἱ μετ' ἐκείνων δημαρχογοί, ἐπειδὴ πολλὰ εἰς ὑμᾶς ἔξήμαρτον, τὰς περὶ τούτων δείσαντες τιμωρίας τὴν προτέραν ὀλυγαρχίαν κατέστησαν, πολλοὶ δὲ τῶν τετρακοσίων μετὰ τῶν ἐκ Πειραιῶς συγκατῆλθον, ἔνιοι δὲ τῶν ἐκείνους ἐκβαλόντων αὐτοὶ αὐθις τῶν τριάκοντα ἔγεινοντο; εἰσὶ δὲ οἵτινες τῶν Ἐλευσῖνάδε ἀπογραφαμένων, ἔξελθόντες μεθ' ὑμῶν ἐπολιόρκουν τοὺς μεθ' αὐτῶν. οὐκον χαλεπὸν γνῶναι, ὡς ἄνδρες δικασταί, ὅτι οὐ περὶ πολιτείας εἰσὶν αἱ πρὸς ἀλλήλους διαφοραί, ἀλλὰ περὶ τῶν ἴδιᾳ συμφερόντων ἐκάστῳ. ὑμᾶς οὖν χρὴ ἐκ τούτων δοκιμάζειν τοὺς πολίτας, σκοπούντας μὲν ὅπως ἡσαν ἐν τῇ δημοκρατίᾳ πεπολιτευμένοι, ζητούντας δὲ ἥτις αὐτοῖς ἔγινετο ὡφέλεια τῶν πραγμάτων μεταπεσόντων· οὕτω γάρ ἀν δικαιοτάτην τὴν κρίσιν περὶ αὐτῶν ποιοῖσθε. ἐγὼ τοίνυν ἡγοῦμαι, ὅσοι μὲν ἐν τῇ δημοκρα- τίᾳ ἄτιμοι ἡσαν εὐθύνας δεδωκότες ἡ τῶν ὄντων ἀπεστρημένοι ἡ ἄλλῃ τινὶ συμφορᾷ τοιαύτῃ κεχρημένοι, προσήκειν αὐτοῖς ἐτέρας ἐπιθυμεῖν πολιτείας, ἐλπίζοντας τὴν μεταβολὴν ὡφέλειάν τινα αὐτοῖς ἔσεσθαι· ὅσοι δὲ τὸν δῆμον πολλὰ κάγαθὰ εἰργασμένοι εἰσί, κακὸν δὲ μηδὲν πώποτε, ὄφειλεται δὲ αὐτοῖς χάριν κομίσασθαι

παρ' ὑμῶν μᾶλλον ἡ δοῦναι δίκην τῶν πεπραγμένων, οὐκ ἄξιον τὰς περὶ τούτων ἀποδέχεσθαι διαβολάς, οὐδὲ ἀν πάντες οἱ τὰ τῆς πόλεως πράττοντες ὀλιγαρχικοὺς ταῦτας φάσκωσιν εἶναι. ἐμοὶ τοίνυν, ὡς ἄνδρες δικασταί, οὗτοί ἴδια οὗτε δημοσίᾳ συμφορὰ ἐν ἐκείνῳ τῷ χρόνῳ οὐδεμίᾳ πώποτε ἐγένετο, ἀνθ' ἡστινος ἀν προθυμούμενος τῶν παρόντων κακῶν ἀπαλλαγῆναι ἐτέρῳ ἐπεθύμουν πραγμάτων. τετριηράρχηκα μὲν γὰρ πεντάκις, καὶ τετράκις νεναυμάχηκα, καὶ εἰσφορὰς ἐν τῷ πολέμῳ πολλὰς εἰσενήνοχα, καὶ τάλλα λελειπούργηκα οὐδενὸς χείρον τῶν πολιτῶν. καίτοι διὰ τοῦτο πλείω τῶν ὑπὸ τῆς πόλεως προσταττομένων ἐδαπανώμην, ἵνα καὶ βελτίων ὑφ' ὑμῶν νομιζούμην, καὶ εἰ πού μοί τις συμφορὰ γένοιτο, ἄμεινον ἀγωνιζούμην. ὅντες ἐν τῇ ὀλιγαρχίᾳ ἀπάντων ἀπεστερούμην· οὐ γὰρ τοὺς τῷ πλήθει ἀγαθοῦ τινος αἰτίους γεγενημένους χάριτος παρ' αὐτῶν ἡξίουν τυγχάνειν, ἀλλὰ τοὺς πλεῖστα κακὰ ὑμᾶς εἰργασμένους εἰς τὰς τιμὰς καθίστασαν, ως ταύτην παρ' ἡμῶν πίστιν εἰληφότες. ἀ χρὴ πάντας ἐνθυμούμενους μὴ τοὺς τούτων λόγοις πιστεύειν, ἀλλὰ ἐκ τῶν ἔργων σκοπεύειν ἀ ἔκάστῳ τυγχάνει πεπραγμένα. ἐγὼ γάρ, ὡς ἄνδρες δικασταί, οὗτε τῶν τετρακοσίων ἐγενόμην· ἡ τῶν κατηγόρων ὁ βουλόμενος παρελθὼν ἐλεγχάτω· οὐ τοίνυν οὐδὲ ἐπειδὴ οἱ τριάκοντα κατέστησαν, οὐδεὶς με ἀποδείξει οὗτε βουλεύσαντα οὗτε ἀρχὴν οὐδεμίαν ἄρξαντα. καίτοι εἰ μὲν ἔξον μοι ἄρχειν μὴ ἡβουλόμην, ὑφ' ὑμῶν νυνὶ τιμᾶσθαι δίκαιός εἰμι· εἰ δὲ οἱ τότε δυνάμενοι μὴ ἡξίουν μοι μεταδιδόναι τῶν πραγμάτων, πῶς ἀν

φανερώτερον ἢ οὕτω ψευδομένους ἀποδείξαιμι τοὺς κατηγόρους;

Ἐτι τοίνυν, ὡ ἄνδρες δικασταί, καὶ ἐκ τῶν ἄλλων οὐ τῶν ἐμοὶ πεπραγμένων ἄξιον σκέψασθαι. ἐγὼ γὰρ τοιούτον ἐμαυτὸν ἐν ταῖς τῆς πόλεως συμφοραῖς παρέσχον ὥστε, εἰ πάντες τὴν αὐτὴν γνώμην ἔσχον ἐμοί, μηδένα ἀν ὑμῶν μηδεμιὰ κεχρῆσθαι συμφορᾶ. ὑπ' ἐμοῦ γὰρ ἐν τῇ ὀλιγαρχίᾳ οὔτε ἀπαχθεὶς οὐδεὶς φανήσεται, οὔτε τῶν ἔχθρῶν οὐδεὶς τετιμωρημένος, οὔτε τῶν φίλων εὐ πεπονθώς. καὶ τοῦτο μὲν οὐκ ἄξιον θαυμάζειν. εὐ ιδι μὲν γὰρ ποιεῖν ἐν ἐκείνῳ τῷ χρόνῳ χαλεπὸν ἦν, ἔξαμαρτάνειν δὲ τῷ βουλομένῳ ράδιον. οὐ τοίνυν οὐδὲ εἰς τὸν κατάλογον Ἀθηναίων καταλέξεις οὐδένα φανήσομαι, οὐδὲ δίαιταν καταδιαιτησάμενος οὐδενός, οὐδὲ πλουσιώτερος ἐκ τῶν ὑμετέρων γεγονῶς συμφορῶν. καίτοι εἰ τοῖς τῶν γεγενημένων κακῶν αἵτίοις ὄργιζεσθε, εἰκὸς καὶ τοὺς μηδὲν ἡμαρτηκότας βελτίους ὑφ' ὑμῶν ινομίζεσθαι. καὶ ιδι μὲν δῆ, ὡ ἄνδρες δικασταί, μεγίστην ἡγοῦμαι περὶ ἐμαυτοῦ τῇ δημοκρατίᾳ πίστιν δεδωκέναι. δστις γὰρ τότε οὐδὲν ἔξημαρτον οὔτω πολλῆς δεδομένης ἔξουσίας, ἡ που νῦν σφόδρα προθυμηθήσομαι χρηστὸς εἶναι, εὐ εἰδὼς δτι, ἐὰν ἀδικῶ, παραχρῆμα δώσω δίκην. ἀλλὰ γὰρ τοιαύτην διὰ τέλους γνώμην ἔχω, ὥστε ἐν ὀλιγαρχίᾳ μὲν μὴ ἐπιθυμεῖν τῶν ἀλλοτρίων, ἐν δημοκρατίᾳ δὲ τὰ ὄντα προθύμως εἰς ὑμᾶς ἀναλίσκειν.

Ἡγοῦμαι δέ, ὡ ἄνδρες δικασταί, οὐκ ἀν δικαίως ὑμᾶς ιδι μισεῖν τοὺς ἐν τῇ ὀλιγαρχίᾳ μηδὲν πεπονθότας κακόν, ἔξον ὄργιζεσθαι τοὺς εἰς τὸ πλήθος ἔξημαρτηκόσιν, οὐδὲ

τοὺς μὴ φυγόντας ἔχθροὺς νομίζειν, ἀλλὰ τοὺς ὑμᾶς ἐκβαλόντας, οὐδὲ τοὺς προθυμουμένους τὰ ἑαυτῶν σῶσαι, ἀλλὰ τοὺς τὰ ἄλλων ἀφῆρημένους, οὐδὲ οὐ τῆς σφετέρας αὐτῶν σωτηρίας ἔνεκα ἔμειναν ἐν τῷ ἀστεῖ, ἀλλ’ οἵτινες ἑτέρους ἀπολέσαι βουλόμενοι μετέσχουν τῶν πραγμάτων. εἰ δὲ οἴεσθε χρῆναι, οὓς ἔκεινοι παρέλιπον ἀδικοῦντες, ὑμεῖς ἀπολέσαι, οὐδεὶς τῶν πολιτῶν ὑπολειφθήσεται.

19 Σκοπεῖν δὲ χρὴ καὶ ἐκ τῶνδε, ὡς ἄνδρες δικασταί. πάντες γάρ ἐπίστασθε ὅτι ἐν τῇ προτέρᾳ δημοκρατίᾳ τῶν τὰ τῆς πόλεως πραττόντων πολλοὶ μὲν τὰ δημόσια ἔκλεπτον, ἔνιοι δ’ ἐπὶ τοῖς ὑμετέροις ἐδωροδόκουν, οἱ δὲ συκοφαντοῦντες τοὺς συμμάχους ἀφίστασαν. καὶ εἰ μὲν οἱ τριάκοντα τούτους μόνους ἐτιμωροῦντο, ἄνδρας ἀγαθοὺς καὶ ὑμεῖς ἀν αὐτοὺς ἡγεῖσθε· νῦν δέ, ὅτι ὑπὲρ τῶν ἔκεινοις ἡμαρτημένων τὸ πλῆθος κακῶς ποιεῖν ἡξίουν, ἡγανακτεῖτε, ἡγούμενοι δεινὸν εἶναι τὰ [τῶν] ὅλιγων ἀδικήματα πάση τῇ πόλει γίγνεσθαι κοινά. οὐ τοίνυν ἄξιον χρῆσθαι τούτοις, οὓς ἔκεινους ἐωράτε ἐξαμαρτάνοντας, οὐδὲ ἡ πάσχοντες ἄδικα ἐνομίζετε πάσχειν, ὅταν ἑτέρους ποιῆτε, δίκαια ἡγεῖσθαι, ἀλλὰ τὴν αὐτὴν κατελθόντες περὶ αὐτῶν γνώμην ἔχετε, ἦνπερ φεύγοντες [περὶ ὑμῶν αὐτῶν] εἴχετε· ἐκ τούτων γὰρ καὶ ὄμόνοιαν πλείστην ποιήσετε, καὶ ἡ πόλις ἔσται μεγίστη, καὶ τοῖς ἔχθροῖς ἀνιαρότατα ψηφιεῖσθε.

21 Ἐνθυμηθῆναι δὲ χρή, ὡς ἄνδρες δικασταί, καὶ τῶν ἐπὶ τῶν τριάκοντα γεγενημένων, ἵνα τὰ τῶν ἔχθρῶν ἡμαρτήματα ἄμεινον ὑμᾶς ποιήσῃ περὶ τῶν ὑμετέρων αὐτῶν

βουλεύσασθαι. ὅτε μὲν γὰρ ἀκούοιτε τοὺς ἐν ἄστει τὴν αὐτὴν γνώμην ἔχειν, μικρὰς ἐλπίδας εἴχετε τῆς καθόδου, ἡγούμενοι τὴν ἡμετέραν ὁμόνοιαν μέγιστον κακὸν εἶναι τῇ ὑμετέρᾳ φυγῇ· ἐπειδὴ δ' ἐπυνθάνεσθε τοὺς ²² μὲν τρισχιλίους στασιάζοντας, τοὺς ἄλλους δὲ πολίτας ἐκκεκηρυγμένους ἐκ τοῦ ἄστεος, τοὺς δὲ τριάκοντα μὴ τὴν αὐτὴν γνώμην ἔχοντας, πλείους δὲ ὄντας τοὺς ὑπὲρ ὑμῶν δεδιότας ἢ τοὺς ὑμῖν πολεμοῦντας, τότ' ἥδη καὶ κατιέναι προσεδοκάτε καὶ παρὰ τῶν ἐχθρῶν λήψεσθαι δίκην. ταῦτα γὰρ τοῖς θεοῖς εὐχεσθε, ἅπερ ἐκείνους ἐωράτε ποιοῦντας, ἡγούμενοι διὰ τὴν τῶν τριάκοντα πονηρίαν πολὺ μᾶλλον σωθῆσεσθαι ἢ διὰ τὴν τῶν φευγόντων δύναμιν κατιέναι. χρὴ τοίνυν, ὡς ἄνδρες δικα- ²³ σταί, τοῖς πρότερον γεγενημένοις παραδείγμασι χρωμένους βουλεύεσθαι περὶ τῶν μελλόντων ἔσεσθαι, καὶ τούτους ἡγεῖσθαι δημοτικωτάτους, οἵτινες ὁμονοεῖν ὑμᾶς βουλόμενοι τοῖς ὅρκοις καὶ ταῖς συνθήκαις ἐμμένουσι, νομίζοντες καὶ τῆς πόλεως ταύτην ἰκανωτάτην εἶναι σωτηρίαν καὶ τῶν ἐχθρῶν μεγίστην τιμωρίαν· οὐδὲν γὰρ ἀν εἴη αὐτοῖς χαλεπώτερον τούτων, ἢ πυνθάνεσθαι μὲν ἡμᾶς μετέχοντας τῶν πραγμάτων, αὐσθάνεσθαι δὲ οὕτως διακειμένους τοὺς πολίτας ὥσπερ μηδενὸς ἐγκλήματος πρὸς ἀλλήλους γεγενημένου. χρὴ δὲ εἰδέναι, ὡς ἄνδρες ²⁴ δικασταί, ὅτι οἱ φεύγοντες τῶν ἄλλων πολιτῶν ὡς πλείστους καὶ διαβεβλῆσθαι καὶ ἡτιμώσθαι βούλονται, ἐλπίζοντες τοὺς ὑφ' ὑμῶν ἀδικουμένους ἑαυτοῖς ἔσεσθαι συμμάχους, τοὺς δὲ συκοφάντας εὐδοκιμεῖν δέξαιντ' ἀν παρ' ὑμῖν καὶ μέγα δύνασθαι ἐν τῇ πόλει· τὴν γὰρ τούτων πονηρίαν ἑαυτῶν ἡγοῦνται σωτηρίαν.

25 *"Αξιον δὲ μνησθῆναι καὶ τῶν μετὰ τοὺς τετρακοσίους πραγμάτων· εὐ γὰρ εἴσεσθε ὅτι, ἀ μὲν οὗτοι συμβουλεύουσιν, οὐδεπώποτε ὑμῖν ἐλυσιτέλησεν, ἀ δ' ἐγὼ παραινῶ, ἀμφοτέραις ἀεὶ ταῖς πολιτείαις συμφέρει. ἵστε γὰρ Ἐπιγένην καὶ Δημοφάνην καὶ Κλεισθένην ἵδια μὲν καρπωσαμένους τὰς τῆς πόλεως συμφοράς, δημοσίᾳ δὲ ὅντας μεγίστων κακῶν αἰτίους. ἐνίων μὲν γὰρ ἔπεισαν ὑμᾶς ἀκρίτων θάνατον καταψηφίσασθαι, πολλῶν δὲ ἀδίκων δημεύσαι τὰς οὐσίας, τοὺς δ' ἔξελάσαι καὶ ἀτμώσαι τῶν πολιτῶν· τοιοῦτοι γὰρ ἡσαν ὥστε τοὺς μὲν ἡμαρτηκότας ἀργύριον λαμβάνοντες ἀφιέναι, τοὺς δὲ μηδὲν ἡδικηκότας εἰς ὑμᾶς εἰσιόντες ἀπολλύναι. καὶ οὐ πρότερον ἐπαύσαντο, ἔως τὴν μὲν πόλιν εἰς στάσεις καὶ τὰς μεγίστας συμφορὰς κατέστησαν, αὐτοὶ δ' ἐκ πενήτην τῶν πλούσιοι ἐγένοντο. ὑμεῖς δὲ οὕτως διετέθητε ὥστε τοὺς μὲν φεύγοντας κατεδέξασθε, τοὺς δ' ἀτίμους ἐπιτίμους ἐποιήσατε, τοῖς δ' ἄλλοις περὶ ὄμονοίας ὅρκους ὕμνυτε· τελευτῶντες δὲ ἥδιον ἀν τοὺς ἐν τῇ δημοκρατίᾳ συκοφαντοῦντας ἐτιμωρήσασθε ἡ τοὺς ἄρξαντας ἐν τῇ ὀλιγαρχίᾳ. καὶ εἰκότως, ὡς ἄνδρες δικασταί· πᾶσι γὰρ ἥδη φανερόν ἐστιν ὅτι διὰ τοὺς μὲν ἀδίκων πολιτευομένους ἐν τῇ ὀλιγαρχίᾳ δημοκρατίᾳ γίγνεται, διὰ δὲ τοὺς ἐν τῇ δημοκρατίᾳ συκοφαντοῦντας ὀλιγαρχίᾳ δις κατέστη· ὥστε οὐκ ἄξιον τούτοις πολλάκις χρῆσθαι συμβούλοις, 28 οἵς οὐδὲ ἄπαξ ἐλυσιτέλησε πειθομένοις. σκέψασθαι δὲ χρὴ ὅτι καὶ τῶν ἐκ Πειραιῶς οἱ μεγίστην δόξαν ἔχοντες καὶ μάλιστα κεκινδυνευκότες καὶ πλεῖστα ὑμᾶς ἀγαθὰ εἰργασμένοι πολλάκις ἥδη τῷ ὑμετέρῳ πλήθει διεκελεύ-*

σαντο τοῖς δρκοῖς καὶ ταῖς συνθήκαις ἐμμένειν, ἡγούμενοι ταύτην δημοκρατίας εἶναι φυλακήν· τοῖς μὲν γὰρ ἔξ ἄστεος ὑπὲρ τῶν παρεληλυθότων ἄδειαν ποιήσειν, τοῖς δ' ἐκ Πειραιῶς οὗτω πλεῖστον χρόνον τὴν πολιτείαν ἀν παραμεῖναι. οἵς ὑμεῖς πολὺ ἀν δικαιότερον πιστεύοιτε ἡ τούτοις, οὐ φεύγοντες μὲν δι' ἔτέρους ἐσώθησαν, κατελθόντες δὲ συκοφαντεῖν ἐπιχειροῦσιν. ἡγούμεναι δέ, ω̄ ἄνδρες δικασταί, τοὺς μὲν τὴν αὐτὴν γνώμην ἔχοντας ἐμοὶ τῶν ἐν ἄστει μεινάντων φανεροὺς γεγενῆσθαι καὶ ἐν δημοκρατίᾳ καὶ ἐν ὀλιγαρχίᾳ, ὅποιοι τινές εἰσι πολῖται· τούτων δ' ἄξιον θαυμάζειν, δ τι ἀν ἐποίησαν, εἴ τις αὐτοὺς εἴασε τῶν τριάκοντα γενέσθαι, οὐ νῦν δημοκρατίας οὔσης ταῦτα ἐκείνοις πράττουσι, καὶ ταχέως μὲν ἐκ πενήτων πλούσιοι γεγένηται, πολλὰς δὲ ἀρχὰς ἄρχοντες οὐδεμιᾶς εὐθύνην διδόσιν, ἀλλ' ἀντὶ μὲν ὁμονοίας ὑποψίαν πρὸς ἀλλήλους πεποίκασιν, ἀντὶ δὲ εἰρήνης πόλεμον κατηγγέλλασι, διὰ τούτους δὲ ἄπιστοι τοῖς Ελλησι γεγενήμεθα. καὶ τοσούτων κακῶν καὶ ἐτέρων πολλῶν ὄντες αἴτιοι, καὶ οὐδὲν διαφέροντες τῶν τριάκοντα πλὴν ὅτι ἐκείνοις μὲν ὀλιγαρχίας οὔσης ἐπεθύμουν ὀντερ οὗτοι, οὗτοι δὲ δημοκρατίας τῶν αὐτῶν ὀντερ ἐκείνοις, ὅμως οἰονται χρῆναι οὗτω ράδιοι ὃν ἀν βούλωνται κακῶς ποιεῖν, ὥσπερ τῶν μὲν ἄλλων ἀδικούντων, ἄριστοι δὲ ἄνδρες αὐτοὶ γεγενημένοι. καὶ τούτων μὲν οὐκ ἄξιον θαυμάζειν, ὑμῶν δέ, ὅτι οἴεσθε μὲν δημοκρατίαν εἶναι, γίγνεται δὲ ὅ τι ἀν οὗτοι βούλωνται, καὶ δίκην διδόσιν οὐχ οἱ τὸ ὑμέτερον πλῆθος ἀδικοῦντες, ἀλλ' οἱ τὰ σφέτερα αὐτῶν μὴ διδόντες. καὶ δέξαιντ' ἀν

μικρὰν εἶναι τὴν πόλιν μᾶλλον ἢ δι' ἄλλους μεγάλην
 33 καὶ ἐλευθέραν, ἡγούμενοι νῦν μὲν διὰ τοὺς ἐκ Πειραιῶς
 [κινδύνους] αὐτοῖς ἔξειναι ποιεῦν ὅ τι ἀν βούλωνται, ἐὰν
 δ' ὕστερον ὑμῖν δι' ἑτέρους σωτηρία γένηται, τούτους
 μὲν ἐπιλύσεσθαι, ἐκείνους δὲ μεῖζον δυνήσεσθαι· ὥστε
 τοῦτ' αὐτὸν δείσαντες ἐμποδὼν εἰσιν, ἐάν τι δι' ἄλλων
 34 ἀγαθὸν ὑμῖν φαίνηται. τοῦτο μὲν οὖν οὐ χαλεπὸν τῷ
 βουλομένῳ κατανοῆσαι· αὐτοί τε γὰρ οὐκ ἐπιθυμοῦσι
 λανθάνειν, ἀλλ' αἰσχύνονται μὴ δοκοῦντες εἶναι πονηροί,
 ὑμεῖς δὲ τὰ μὲν αὐτοὶ ὄράτε τὰ δ' ἑτέρων πολλῶν ἀκού-
 ετε. ήμεις δέ, ὡς ἀνδρες δικασταί, δίκαιοι μὲν ἡγούμεθ'
 εἶναι πρὸς πάντας ὑμᾶς τοὺς πολίτας ταῖς συνθήκαις
 35 καὶ τοῖς ὄρκοις ἐμμένειν, ὅμως δέ, ὅταν μὲν ἴδωμεν τοὺς
 τῶν κακῶν αἰτίους δίκην διδόντας, τῶν τότε περὶ ὑμᾶς
 γεγενημένων μεμνημένοι συγγνώμην ἔχομεν, ὅταν δὲ
 φανεροὶ γένησθε τοὺς μηδὲν αἰτίους ἐξ ἴσου τοῖς ἀδι-
 κοῦσι τιμωρούμενοι, τῇ αὐτῇ ψήφῳ πάντας ὑμᾶς εἰς ὑπο-
 [ψίαν καταστήσετε]

VII.

ΑΡΕΟΠΑΓΙΤΙΚΟΣ.

ΠΕΡΙ ΤΟΥ ΣΗΚΟΥ ΑΠΟΛΟΓΙΑ.

ΠΡΟΤΕΡΟΝ μέν, ὡς βουλή, ἐνόμιζον ἔξειναι τῷ βουλομένῳ, ἡσυχίαν ἄγοντι, μήτε δίκας ἔχειν μήτε πράγματα· νυνὶ δὲ οὕτως ἀπροσδοκήτοις αἰτίαις καὶ πονηροῖς συκοφάνταις περιπέπτωκα, ὥστ' εἰς πως οἶον τε, δοκεῖ μοι δεῖν καὶ τοὺς μὴ γεγονότας ἥδη δεδιέναι περὶ τῶν μελλόντων ἔσεσθαι· διὰ γὰρ τοὺς τοιούτους οἱ κίνδυνοι κοινοὶ γίγνονται καὶ τοῖς μηδὲν ἀδικοῦσι καὶ τοῖς πολλὰ ἡμαρτηκόσιν. οὕτω δ' ἄπορος ὁ ἀγών μοι καθέστηκεν, ὥστε ἀπεγράφην τὸ μὲν πρώτον ἐλαίαν ἐκ τῆς γῆς ἀφανίζειν, καὶ πρὸς τοὺς ἐωνημένους τοὺς καρποὺς τῶν μοριῶν πυνθανόμενοι προσήγεσαν· ἐπειδὴ δ' ἐκ τούτου τοῦ τρόπου ἀδικοῦντά με οὐδὲν εὑρεῖν ἐδυνήθησαν, νυνὶ με σηκόν φασιν ἀφανίζειν, ἡγούμενοι ἐμὸν μὲν ταύτην τὴν αἰτίαν ἀπορωτάτην εἶναι ἀπελέγειν, αὐτοῖς δὲ ἔξειναι μᾶλλον ὅ τι ἀν βούλωνται λέγειν. καὶ δεῖ με, περὶ ὧν οὗτος ἐπιβεβούλευκὼς ἥκει, ἅμ' ὑμῖν τοῖς διαγνωσομένοις περὶ τοῦ πράγματος ἀκούσαντα καὶ περὶ τῆς πατρίδος καὶ περὶ τῆς οὐσίας ἀγωνίσασθαι. ὅμως δὲ πειράσομαι ἐξ ἀρχῆς ὑμᾶς διδάξαι. Ἡν μὲν γὰρ τοῦτο Πεισάνδρου τὸ χωρίον, δημευθέντων δὲ τῶν ἐκείνου Ἀπολλόδωρος ὁ Μεγαρεὺς δωρεὰν παρὰ τοῦ δήμου

λαβὼν τὸν μὲν ἄλλον χρόνον ἐγεώργει, ὀλύγῳ δὲ πρὸ τῶν τριάκοντα Ἀντικλῆς παρ’ αὐτοῦ πριώμενος ἔξεμί-
σθωσεν· ἐγὼ δὲ παρ’ Ἀντικλέους εἰρήνης οὔσης ὀνοῦ-
5 μαι· ἡγοῦμαι τοίνυν, ὡς βουλή, ἐμὸν ἔργον ἀποδεῖξαι
ώς, ἐπειδὴ τὸ χωρίον ἐκτησάμην, οὐτ’ ἐλαία οὔτε σηκὸς
ἐνήν ἐν αὐτῷ. νομίζω γὰρ τοῦ μὲν προτέρου χρόνου,
οὐδ’ εἰ πάλαι ἐνήσαν μορίαι, οὐκ ἀν δικαίως ζημιοῦ-
σθαι· εἰ γὰρ μὴ δι’ ἡμᾶς εἰσιν ἡφανισμέναι, οὐδὲν προσ-
ήκει περὶ τῶν ἀλλοτρίων ἀμαρτημάτων ὡς ἀδικοῦντας
6 κινδυνεύειν. πάντες γὰρ ἐπίστασθε ὅτι ὁ πόλεμος καὶ
ἄλλων πολλῶν αἰτίος κακῶν γεγένηται, καὶ τὰ μὲν
πόρρω ὑπὸ Λακεδαιμονίων ἐτέμνετο, τὰ δ’ ἐγγὺς ὑπὸ¹
τῶν φίλων διηρπάζετο· ὥστε πῶς ἀν δικαίως ὑπὲρ τῶν
τῆς πόλει γεγενημένων συμφορῶν ἐγὼ νῦν δίκην δι-
δοίην; ἄλλως τε καὶ τούτῳ τὸ χωρίον ἐν τῷ πολέμῳ
7 δημευθὲν ἄπρακτον ἦν πλεῖν ἡ τρία ἔτη. οὐ θαυμαστὸν
δ’ εἰ τότε τὰς μορίας ἔξεκοπτον, ἐν φῷ οὐδὲ τὰ ἡμέτερ’
αὐτῶν φυλάττειν ἡδυνάμεθα. ἐπίστασθε δέ, ὡς βουλή,
ὅσῳ μάλιστα τῶν τοιούτων ἐπιμελεῖσθε, πολλὰ ἐν ἐκεί-
νῳ τῷ χρόνῳ δασέα ὄντα ἴδιαις καὶ μορίαις ἐλαίαις, ὡν
νῦν τὰ πολλὰ ἐκκέκοπται καὶ ἡ γῆ ψιλὴ γεγένηται· καὶ
τῶν αὐτῶν καὶ ἐν τῇ εἰρήνῃ καὶ ἐν τῷ πολέμῳ κεκτημέ-
νων οὐκ ἀξιοῦτε παρ’ αὐτῶν, ἐτέρων ἐκκοψάντων, δίκην
8 λαμβάνειν. καίτοι εἰ τοὺς διὰ παντὸς τοῦ χρόνου γεωρ-
γοῦντας τῆς αἰτίας ἀφίετε, ἡ που χρὴ τούς γ’ ἐν τῇ εἰ-
ρήνῃ πριωμένους ἀφ’ ὑμῶν ἀζημίους γενέσθαι.
9 Ἀλλὰ γάρ, ὡς βουλή, περὶ μὲν τῶν πρότερον γεγε-
νημένων πολλὰ ἔχων εἰπεῖν ἴκανὰ νομίζω τὰ εἰρημένα·

ἐπειδὴ δ' ἐγὼ παρέλαθον τὸ χωρίον, πρὶν ἡμέρας πέντε γενέσθαι, ἀπεμίσθωσα Καλλιστράτῳ, ἐπὶ Πυθοδώρου ἄρχοντος· δις δύο ἔτη ἐγεώργησεν, οὔτε ἴδιαν ἐλαίαν οὔτε μορίαν οὔτε σηκὸν παραλαβών. τρίτῳ δὲ ἔτει Δημήτριος οὗτοσὶ εἰργάσατο· τῷ δὲ τετάρτῳ Ἀλκίᾳ Ἀντισθένους ἀπελευθέρῳ ἐμίσθωσα, δις τέθηκε· κατὰ τρία ἔτη ὁμοίως καὶ Πρωτέας ἐμίσθωσατο. Καί μοι δεύτροι ἵτε μάρτυρες.

ΜΑΡΤΥΡΕΣ.

Ἐπειδὴ τοίνυν ὁ χρόνος οὗτος ἔξήκει, αὐτὸς γεωργῶ. ΙΙ φησὶ δὲ ὁ κατίγορος ἐπὶ Σουνιάδου ἄρχοντος σηκὸν ὑπ' ἐμοῦ ἐκκεκόφθαι. ίμῦν δὲ μεμαρτυρήκασιν οἱ πρότεροι ἐργαζόμενοι καὶ πολλὰ ἔτη παρ' ἐμοῦ μεμισθωμένοι μὴ εἶναι σηκὸν ἐν τῷ χωρίῳ. καίτοι πῶς ἀν τις φανερωτέρως ἔξελέγχειε ψευδόμενον τὸν κατίγορον; οὐ γὰρ οἶόν τε, ἀ πρότερον μὴ ἦν, ταῦτα τὸν ὑστερον ἐργαζόμενον ἀφανίζειν.

Ἐγὼ τοίνυν, ὡς βουλή, ἐν μὲν τῷ τέως χρόνῳ, ὅσοι ΙΙ με φύσκοιεν δεινὸν εἶναι καὶ ἀκριβῆ καὶ οὐδὲν ἀν εἰκῆ καὶ ἀλογίστως ποιῆσαι, ἡγανάκτουν ἀν, αἴρούμενος μᾶλλον λέγεσθαι ὡς μοι προσῆκε· μῦν δὲ πάντας ἀν ίμᾶς βουλοίμην περὶ ἐμοῦ ταύτην τὴν γνώμην ἔχειν, ἵνα ἡγῆσθέ με σκοπεῖν, εἴπερ τοιούτοις ἔργοις ἐπεχείρουν, καὶ ὅ τι κέρδος ἐγίγνετο [τῷ] ἀφανίσαντι καὶ ἥτις ζημία [τῷ] περιποιήσαντι, καὶ τί ἀν λαθὼν διεπραξάμην καὶ τί ἀν φανερὸς γενόμενος ὑφ' ίμῶν ἔπασχον. πάντες ΙΙ γὰρ ἀνθρωποι τὰ τοιαῦτα οὐχ ὑβρεως ἀλλὰ κέρδους

ἔνεκα ποιοῦσι· καὶ ὑμᾶς εἰκὸς οὕτω σκοτεῖν, καὶ τοὺς ἀντιδίκους ἐκ τούτων τὰς κατηγορίας ποιεῖσθαι, ἀπο-
ι φαίνοντας ἡτις ὠφέλεια τοῖς ἀδικήσασιν ἐγίγνετο. οὐ-
τος μέντοι οὐκ ἀν ἔχοι ἀποδεῖξαι οὐθ' ὡς ὑπὸ πενίας
ἡναγκύσθην τοιούτοις ἔργοις ἐπιχειρεῖν, οὐθ' ὡς τὸ χω-
ρίον μοι διαφθείρεται τοῦ σηκοῦ ὅντος, οὐθ' ὡς ἀμπέ-
λοις ἐμποδὼν ἦν, οὐθ' ὡς οἰκίας ἐγγύς, οὐθ' ὡς ἐγὼ
ἄπειρος τῶν παρ' ὑμῶν κινδύνων. ἐγὼ δέ, εἴ τι τοιούτον
ἔπραττον, πολλὰς ἀν καὶ μεγάλας ἐμαυτῷ ζημίας γενο-
ις μέναις ἀποφήναιμι· ὃς πρῶτον. μὲν μεθ' ἡμέραν ἔξεκο-
πτον τὸν σηκόν, ὥσπερ οὐ πάντας λαθεῖν δέον, ἀλλὰ
πάντας Ἀθηναίους εἰδέναι. καὶ εἰ μὲν αἰσχρὸν ἦν μόνον
τὸ πρᾶγμα, ἵσως ἀν τις τῶν παριόντων ἡμέλησε· νῦν δ'
οὐ περὶ αἰσχύνης ἀλλὰ τῆς μεγίστης ζημίας ἐκινδύνευον.
πῶς δ' οὐκ ἀν ἦν ἀθλιώτατος ἀνθρώπων ἀπάντων, εἰ
τοὺς ἐμαυτοῦ θεράποντας μηκέτι δούλους ἔμελλον ἔξειν
ἀλλὰ δεσπότας τὸν λοιπὸν βίον, τοιούτον ἔργον συνει-
δότας; ὥστε εἰ καὶ τὰ μέγιστα εἰς ἐμὲ ἔξημάρτανον,
οὐκ ἀν οἵος τε ἦν δίκην παρ' αὐτῶν λαμβάνειν· εὐ γὰρ
ἀν ἔδειν ὅτι ἐπ' ἐκείνοις ἦν καὶ ἐμὲ τιμωρήσασθαι καὶ
αὐτοῖς μηνύσασιν ἐλευθέροις γενέσθαι. ἔτι τοίνυν εἰ
τῶν οἰκετῶν παρέστη μοι μηδὲν φροντίζειν, πῶς ἀν ἐτόλ-
μησα τοσούτων μεμισθωμένων καὶ ἀπάντων συνειδότων
ἀφανίσαι τὸν σηκὸν βραχέος μὲν κέρδους ἔνεκα, προ-
θεσμίας δὲ οὐδεμιᾶς οὕσης τῷ κινδύνῳ τοῖς εἰργασμένοις
ἄπασι τὸ χωρίον ὁμοίως προσῆκον εἶναι σῶν τὸν σηκόν,
ἴν' εἴ τις αὐτοὺς ἥτιάτο, εἰχον ἀνενεγκεῖν ὅτῳ παρέδο-
σαν; νῦν δὲ καὶ ἐμὲ ἀπολύσαντες φαίνονται, καὶ σφᾶς

αὐτούς, εἴπερ ψεύδονται, μετόχους τῆς αἰτίας καθιστάν-
τες. εἰ τοίνυν καὶ ταῦτα παρεσκευασάμην, πῶς ἀν οἵς 18
τὸ θν πάντας πεῖσαι τοὺς παριόντας, ή τοὺς γείτονας,
οὐδὲν μόνον ἀλλήλων ταῦτ’ ἵσασιν ἢ πᾶσιν ὄραν ἔξεστιν,
ἀλλὰ καὶ περὶ ὧν ἀποκρυπτόμενοι οἰόμεθα μηδένα εἰδέ-
ναι, καὶ περὶ ἐκείνων πυνθάνονται; ἐμοὶ τοίνυν τούτων
οἱ μὲν φίλοι οἱ δὲ διάφοροι περὶ τῶν ἐμῶν τυγχάνουσιν
ὄντες. οὓς ἔχρην τούτον παρασχέσθαι μάρτυρας, καὶ 19
μὴ μόνον οὗτως τολμηρὸς κατηγορίας ποιεῖσθαι· ὅς
φησιν ὡς ἐγὼ μὲν παρειστήκειν, οἱ δὲ οἰκέται ἔξετεμνον
τὰ πρέμνα, ἀναθέμενος δὲ ὁ βοηλάτης ὥχετο ἀπάγων
τὰ ξύλα. καίτοι, ὡς Νικόμαχε, χρῆν σε τότε καὶ παρ- 20
καλεῖν τοὺς παριόντας μάρτυρας, καὶ φανερὸν ποιεῖν τὸ
πρᾶγμα· καὶ ἐμοὶ μὲν οὐδεμίαν ἀν ἀπολογίαν ὑπέλιπτε,
αὐτὸς δέ, εἰ μέν σοι ἐχθρὸς ἦν, ἐν τούτῳ τῷ τρόπῳ
ἡσθα ἀν με τετιμωρημένος, εἰ δὲ τῆς πόλεως ἔνεκα
ἔπραττες, οὗτως ἔξελέγχεις οὐκ ἀν ἐδόκεις εἶναι συκο-
φάντης, εἰ δὲ κερδαίνειν ἐβούλου, τότ’ ἀν πλεῖστον ἔλα-
βεις· φανεροῦ γὰρ ὄντος τοῦ πράγματος οὐδεμίαν ἀλλην 21
ἡγούμην ἀν εἶναι μοι σωτηρίαν ή σὲ πεῖσαι. τούτων
τοίνυν οὐδὲν ποιήσας διὰ τοὺς σοὺς λόγους ἀξιοῖς με
ἀπολέσθαι, καὶ κατηγορεῖς ως ὑπὸ τῆς ἐμῆς δυνάμεως
καὶ τῶν ἐμῶν χρημάτων οὐδεὶς ἐθέλει σοι μαρτυρεῖν. 22
καίτοι εἰ φήνας μὲν ἴδων τὴν μορίαν ἀφανίζοντα τοὺς ἐν-
νέα ἄρχοντας ἐπήγαγες ή ἄλλους τινὰς τῶν ἐξ Ἀρείου
πάγου, οὐκ ἀν ἐτέρων ἔδει σοι μαρτύρων· οὗτο γὰρ ἀν
σοι συνήδεσαν ἀληθῆ λέγοντι, οὕπερ καὶ διαγιγνώσκειν
ἔμελλον περὶ τοῦ πράγματος. δεινότατα οὖν πάσχω, 23

δσφ εί μὲν παρέσχετο μάρτυρας, τούτοις ἀν ηξίου πι-
στεύειν, ἐπειδὴ δὲ οὐκ εἰσὶν αὐτῷ, ἐμοὶ καὶ ταύτην τὴν
ξημίαν οἴεται χρῆναι γενέσθαι. καὶ τούτου μὲν οὐ
θαυμάζω· οὐ γὰρ δήπου συκοφαντῶν ἄμα τοιούτων τε
λόγων ἀπορήσει καὶ μαρτύρων· ὑμᾶς δ' οὐκ ἀξιώ τὴν
αὐτὴν τούτῳ γνώμην ἔχειν. ἐπίστασθε γὰρ ἐν τῷ πεδίῳ
πολλὰς μορίας οὖσας καὶ πυρκαιὰς ἐν τοῖς ἄλλοις τοῖς
ἐμοὶς χωρίοις, ἀς, εἴπερ ἐπεθύμουν, πολὺ ἦν ἀσφαλέστε-
ρον καὶ ἀφανίσαι καὶ ἐκκόψαι καὶ ἐπεργάσασθαι, ὅσφ-
περ ἡττον τὸ ἀδίκημα πολλῶν οὐσῶν ἔμελλε δῆλον
25 ἔσεσθαι. νῦν δ' οὗτος αὐτὰς περὶ πολλοῦ ποιοῦμαι
ῶσπερ [καὶ τὴν πατρίδα] καὶ τὴν ἄλλην οὐσίαν, ἥγου-
μενος περὶ ἀμφοτέρων τούτων εἰναί μοι τὸν κίνδυνον.
αὐτοὺς τοίνυν ὑμᾶς τούτων μάρτυρας παρέξομαι, ἐπιμε-
λουμένους μὲν ἑκάστου μηνός, γνώμονας δὲ πέμποντας
καθ' ἔκαστον ἐνιαυτόν· ὡν οὐδεὶς πώποτ' ἔξημίωσέ μ' ὡς
26 ἐργαζόμενον τὰ περὶ τὰς μορίας χωρία. καίτοι οὐ δή-
που τὰς μὲν μικρὰς ξημίας οὕτω περὶ πολλοῦ ποιοῦμαι,
τοὺς δὲ περὶ τοῦ σώματος κινδύνους [οὕτω] περὶ οὐδε-
νὸς ἥγοῦμαι· καὶ τὰς μὲν πολλὰς ἐλαίας, εἰς ἀς ἔξην
μᾶλλον ἔξαμπτάνειν, οὕτω θεραπεύων φαίνομαι, τὴν δὲ
μορίαν, ἦν οὐχ οἰόν τ' ἦν λαθεῖν ἔξορύξαντα, ὡς ἀφανί-
27 ξων νυνὶ κρίνομαι; Πότερον δέ μοι κρείττον ἦν, ὡς
βουλή, δημοκρατίας οὖσης παρανομεῖν ἡ ἐπὶ τῶν τριά-
κοντα; καὶ οὐ λέγω ως τότε δυνάμενος ἡ ως νῦν διαβε-
βλημένος, ἀλλ' ως τῷ βουλομένῳ τότε μᾶλλον ἔξην
ἀδικεῖν ἡ νυνί. ἐγὼ τοίνυν οὐδὲν ἐν ἐκείνῳ τῷ χρόνῳ
οὔτε τοιούτον οὔτε ἄλλο οὐδὲν κακὸν ποιήσας φανήσο-

μαι. Πῶς δ' ἄν, εἰ μὴ πάντων ἀνθρώπων ἐμαυτῷ κα-^ω
κονούστατος ἦν, ὑμῶν οὕτως ἐπιμελουμένων ἐκ τούτου
τὴν μορίαν ἀφανίζειν ἐπεχείρησα τοῦ χωρίου, ἐν φ' δεύ-
δρον μὲν οὐδὲ ἐν ἐστι, μᾶς δὲ ἐλαίας σηκός, ὡς οὗτός
φησιν εἶναι, κυκλόθεν δὲ ὁδὸς περιέχει, ἀμφοτέρωθεν δὲ
γείτονες περιοικοῦσιν, ἀερκτον δὲ καὶ πανταχόθεν κά-
τοπτόν ἔστιν; ὥστε τίς ἀν ἀπετόλμησε, τούτων οὕτως
ἔχοντων, ἐπιχειρῆσαι τοιούτῳ πράγματι; Δεινὸν δέ μοι ^ω
δοκεῖ εἶναι ὑμᾶς μέν, οἵς ὑπὸ τῆς πόλεως τὸν ἀπαντα
χρόνον προστέτακται τῶν μοριῶν ἐλαιῶν ἐπιμελεῖσθαι,
μήθ' ὡς ἐπεργαζόμενον πώποτε ζημιώσαί με μήθ' ὡς
ἀφανίσαντα εἰς κίνδυνον καταστήσαι, τούτον δ', δις οὕτε
γεωργῶν ἐγγὺς τυγχάνει οὕτ' ἐπιμελητὴς ἡρημένος οὕθ'
ἡλικίαν ἔχων εἰδέναι περὶ τῶν τοιούτων, ἀπογράψαι με
μορίαν ἀφανίζειν.

Ἐγὼ τοίνυν δέομαι ὑμῶν μὴ τοὺς τοιούτους λόγους ^ω
πιστοτέρους ἡγήσασθαι τῶν ἔργων, μηδὲ περὶ ὧν αὐτοὶ
σύνιστε, ταῦτ' ἀνασχέσθαι τῶν ἐμῶν ἔχθρῶν λεγόντων,
ἐνθυμουμένους καὶ ἐκ τῶν εἰρημένων καὶ ἐκ τῆς ἄλλης
πολιτείας. ἐγὼ γάρ τὰ ἐμοὶ προστεταγμένα ἀπαντα ^{ζι}
προθυμότερον πεποίηκα, ὡς ὑπὸ τῆς πόλεως ἡναγκαζό-
μην, καὶ τριηραρχῶν καὶ εἰσφορὰς εἰσφέρων καὶ χορηγῶν
καὶ τάλλα λειτουργῶν οὐδενὸς ἡττον πολυτελῶς τῶν
πολιτῶν. καίτοι ταῦτα μὲν μετρίως ποιῶν ἀλλὰ μὴ ^{ζι}
προθύμως οὕτ' ἀν περὶ φυγῆς οὕτ' ἀν περὶ τῆς ἄλλης οὐ-
σίας ἡγωνιζόμην, πλείω δ' ἀν ἐκεκτήμην, οὐδὲν ἀδικῶν
οὐδ' ἐπικίνδυνον ἐμαυτῷ καταστήσας τὸν βίον· ταῦτα
δὲ πράξας, ἀ οὗτός μου κατηγορεῖ, ἐκέρδαινον μὲν οὐδέν,

33 ἐμαυτὸν δ' εἰς κίνδυνον καθίστην. καίτοι πάντες ἀν
όμολογήσαιτε δικαιότερον εἶναι τοῖς μεγάλοις χρῆσθαι
τεκμηρίοις περὶ τῶν μεγάλων, καὶ πιστότερα ἡγεῖσθαι
περὶ ὧν ἄπασα ἡ πόλις μαρτυρεῖ, μᾶλλον ἡ περὶ ὧν
μόνος οὗτος κατηγορεῖ.

34 *Ἐτι τοίνυν, ὡς Βουλή, ἐκ τῶν ἄλλων σκέψασθε.
μάρτυρας γὰρ ἔχων αὐτῷ προσῆλθον, λέγων ὅτι μοι
πάντες εἰσὶν οἱ θεράποντες, οὓς ἐκεκτήμην, ἐπειδὴ παρέ-
λαβον τὸ χωρίον, καὶ ἔτοιμός εἰμι, εἴ τινα βούλοιτο, πα-
ραδοῦναι βασανίζειν, ἡγούμενος οὗτως ἀν τὸν ἔλεγχον
ἰσχυρότερον γενέσθαι τῶν τούτου λόγων καὶ τῶν ἔργων
35 τῶν ἐμῶν. οὗτος δ' οὐκ ἡθελεν, οὐδὲν φάσκων πιστὸν
εἶναι τοῖς θεράπονσιν. ἐμοὶ δὲ δοκεῖ δεινὸν εἶναι, εἰ
περὶ αὐτῶν μὲν οἱ βασανιζόμενοι κατηγοροῦσιν, εὐ εἰδότες
ὅτι ἀποθανοῦνται, περὶ δὲ τῶν δεσποτῶν, οὓς πεφύκασι
κακονούστατοι, μᾶλλον ἀν εἴλοντο ἀνέχεσθαι βασανιζό-
μενοι ἡ κατειπόντες ἀπηλλάχθαι τῶν παρόντων κακῶν.
36 καὶ μὲν δή, ὡς Βουλή, φανερὸν οἶμαι εἶναι ὅτι, εἰ Νικο-
μάχου ἐξαιτιῶντος τοὺς ἀνθρώπους μὴ παρεδίδουν, ἐδό-
κουν ἀν ἐμαυτῷ συνειδέναι· ἐπειδὴ τοίνυν ἐμοῦ παρα-
διδόντος οὗτος παραλαβεῖν οὐκ ἡθελε, δίκαιον καὶ περὶ
τούτου τὴν αὐτὴν γνώμην σχεῖν, ἄλλως τε καὶ τοῦ κιν-
37 δύνου οὐκ ἴσους ἀμφοτέροις ὄντος. περὶ ἐμοῦ μὲν γὰρ
εἰ ἔλεγον, ἂν οὗτος ἐβούλετο, οὐδ' ἀν ἀπολογήσασθαι
μοι ἐξεγένετο· τούτῳ δ' εἰ μὴ ὡμολόγουν, οὐδεμιᾶ ἔη-
μίᾳ ἔνοχος ἦν. ὥστε πολὺ μᾶλλον τούτου παραλαμβά-
νειν ἔχρην ἡ ἐμὲ παραδοῦναι προσῆκεν. ἔγὼ τοίνυν εἰς
τοῦτο προθυμίας ἀφικόμην, ἡγούμενος μετ' ἐμοῦ εἶναι

καὶ ἐκ βασάνων καὶ ἐκ μαρτύρων καὶ ἐκ τεκμηρίων ὑμᾶς περὶ τοῦ πράγματος τάληθῆ πυθέσθαι. ἐνθυμεῖσθαι δὲ 38 χρή, ὡς βουλή, ποτέροις χρὴ πιστεύειν μᾶλλον, οἷς πολλοὶ μεμαρτυρήκασιν ἢ φῶ μηδεὶς τετόλμηκε, καὶ πότερον εἰκὸς μᾶλλον τοῦτον ἀκινδύνως φεύδεσθαι ἢ μετὰ τοσούτου κινδύνου τοιούτου ἐμὲ ἔργον ἐργάσασθαι, καὶ πότερον οἰεσθε αὐτὸν ὑπὲρ τῆς πόλεως βοηθεῖν ἢ συκοφαντοῦντα αἰτιάσασθαι; ἐγὼ μέν [ἐγνωκέναι] ὑμᾶς 39 ἡγοῦμαι ὅτι Νικόμαχος ὑπὸ τῶν ἔχθρῶν πεισθεὶς τῶν ἐμῶν τοῦτον τὸν ἀγῶνα ἀγωνίζεται, οὐχ ὡς ἀδικοῦντα ἐλπίζων ἀποδείξειν, ἀλλ' ὡς ἀργύριον παρ' ἐμοῦ λήψεσθαι προσδοκῶν. ὅσῳ γάρ οἱ τοιοῦτοί εἰσιν ἐπαιτιώτατοι καὶ ἀπορώτατοι τῶν κινδύνων, τούτῳ πάντες αὐτοὺς φεύγουσι μάλιστα. ἐγὼ δέ, ὡς βουλή, οὐκ ἡξίουν, ἀλλ' 40 ἐπειδήπερ με ἡτιάσατο, παρέσχον ἐμαυτὸν ὅ τι βούλεσθε χρῆσθαι, καὶ τούτου ἔνεκα τοῦ κινδύνου οὐδεὶς ἐγὼ τῶν ἔχθρῶν διηλλάγην, οὐ ἐμὲ ἦδιον κακῶς λέγουσιν ἢ σφᾶς αὐτοὺς ἐπαινοῦσι, καὶ φανερῶς μὲν οὐδεὶς πώποτε ἐμὲ αὐτῶν ἐπεχείρησε ποιῆσαι κακὸν οὐδέν, τοιούτους δὲ ἐπιπέμπουσί μοι, οἷς ὑμεῖς οὐκ ἀν δικαίως πιστεύοιτε. πάντων γάρ ἀν ἀθλιώτατος γενοίμην, εἰ 41 φυγὰς ἀδίκως καταστήσομαι, ἄπαις μὲν ὧν καὶ μόνος, ἐρήμους δὲ τοῦ οἴκου γενομένου, μητρὸς δὲ πάντων ἐνδεούς, πατρίδος δὲ τοιαύτης ἐπ' αἰσχίσταις στερηθεὶς αἰτίαις, πολλὰς μὲν ναυμαχίας ὑπὲρ αὐτῆς νεναυμαχηκώς, πολλὰς δὲ μάχας μεμαχημένος, κόσμιον δ' ἐμαυτὸν καὶ ἐν δημοκρατίᾳ καὶ ἐν ὀλιγαρχίᾳ παρασχών.

’Αλλὰ γάρ, ὡς βουλή, ταῦτα μὲν ἐνθάδε οὐκ οἶδ’ 42

τι δεῖ λέγειν· ἀπέδειξα δ' ὑμῖν ὡς οὐκ ἐνήν σηκὸς ἐν τῷ
χωρίῳ, καὶ μάρτυρας παρεσχόμην καὶ τεκμήρια. ἂν χρὴ
μεμνημένους διαγιγνώσκειν περὶ τοῦ πράγματος, καὶ
ἀξιοῦν παρὰ τούτου πυθέσθαι ὅτου ἔνεκα, ἐξὸν ἐπ' αὐ-
τοφώρῳ ἐλέγξαι, τοσούτῳ χρόνῳ ὕστερον εἰς τοσοῦτόν
ας με κατέστησεν ἀγῶνα, καὶ μάρτυρα οὐδένα παρεσχόμε-
νος ἐκ τῶν λόγων ζητεῖ πιστὸς γενέσθαι, ἐξὸν αὐτοῖς
τοῖς ἔργοις ἀδικοῦντα ἀποδεῖξαι, καὶ ἐμοῦ ἀπαντας δι-
δόντος τοὺς θεράποντας, οὕς φησι παραγενέσθαι, παρα-
λαβεῖν οὐκ ἥθελεν.

BIOGRAPHICAL INTRODUCTION.

NOTE. — This general Introduction, and those which are specially connected with the several Orations, although freely combining material from various sources, are indebted especially to the admirable *Einleitungen* of DR. R. RAUCHENSTEIN, in his *Sextete Verbesserter Auflage*.

LYSIAS was born at Athens, most probably, according to K. F. Hermann's view, B. C. 444, or eight years before Isocrates, who by all accounts is represented as somewhat his junior. There he received his education together with the noblest of the Athenians, and there also he died, B. C. 378. Compare Cicero's remark, "Est enim Atticus, quoniam certe Athenis est et natus et mortuus et functus omni civium munere." (*Brut.* 16, 63.) His father was Cephalus of Syracuse, who, through Pericles's advice, had emigrated to Athens, about 447. Curtius says of Cephalus, that he was "a man of property and consideration, whose ancestors had distinguished themselves in the struggle against the tyrants of his native city, and in whose house a higher class of studies were eagerly cultivated. For thirty years he dwelt in the Piræus, and both in his manhood and old age was the type of piety and wisdom. He was devoted with his whole heart to the Periclean state to which he belonged as a resident alien, so that he accounted it an honor to undertake costly service in its behalf; and his hospitable house was a meeting-place of men of the most distinguished intellectual gifts." — *Hist. Greece*, II. p. 547. Such were the influences amidst which Lysias grew to manhood.

After the death of his father, he was attracted, with his brothers Polemarchus and Euthydemus, to Thurii in Lower Italy, about 417. Here, in the vicinity of the ancient and ruined Sybaris, a flourishing city had sprung up, laid out after the model of the

Piræus, and by the same Hippodamus whom Pericles had employed to lay out and beautify the port of Athens. Here, under a democratical constitution, such was the growth of the colony that many distinguished men were attracted from all quarters.

Here Lysias came under the influence of the Sicilian school of oratory, as led by Tisias of Syracuse. The style of this school was characterized by sharp antitheses, by elaborate parallelisms in the construction of sentences, by alliterations, and similar artificialities. In this style Lysias produced some compositions. But the mannerism of such a style, although well enough adapted to excite admiration in exhibitions of rhetorical skill, was less fitted for effective service in the encounters of the courts and the popular assemblies. Yet the straightforward practical address necessary for a statesman and an advocate can occasionally make profitable use of the ornaments of speech on which the rhetorician places more reliance; and so far Lysias's training in the Sicilian school brought some advantage to his later practice at Athens.

Lysias lived in prosperity at Thurii until the overthrow of the Athenian armament in Sicily, in 413. This occasioned the overthrow of the democratic constitution of Thurii, and the expulsion of the Athenian party, including Lysias and his brother Polemarchus, with whom three hundred others were obliged to flee.

The two brothers returned to Athens in 412 or 411, and during the next seven years resided in Piræus enjoying a period of prosperity. Though not possessing the rights of citizenship, they possessed the *isotely* (see *General Note* to the Oration against Eratosthenes, 9, *Metæcus*), and the business which they pursued was likely to be profitable in that time of war,—the manufacture of shields, in which they employed one hundred and twenty slaves. The capture of the city early in 404, and the inauguration of the despotism of the Thirty, found them the holders of a considerable property, of which they were despoiled by the tyrants, and Polemarchus was put to death, while Lysias made his escape to Megara. Having co-operated with liberal contributions and effective service

in the expulsion of the usurpers, Lysias had no sooner seen the ancient constitution restored, than he proceeded to prosecute Eratosthenes for his brother's murder.

Whether he gained this case or not, — on which point we have no testimony, — the undertaking proved eventful to Lysias as the beginning of a new career. To this, not improbably, his now reduced circumstances, together with his previous studies, may have inclined him. He now became a *λογογράφος*, or writer of speeches, which his clients in pleading their own causes delivered from memory (see *General Note* to the Oration against Eratosthenes, 4, *Synegorus*).

On the motion of Thrasybulus, a decree had been adopted conferring upon Lysias the privilege of citizenship, in recognition of his distinguished services to the state. But this decree having been cancelled for informality, in having been passed by the assembly without the previous assent of the senate (*προβούλευμα*), was never renewed. Having thus failed of obtaining that civic standing in which alone he could exercise his gifts as a popular speaker (*ρήτωρ*) in the assembly, Lysias had no opportunity to attain the distinction in that capacity of which his plea against Eratosthenes had given promise. But his orations have, perhaps, thereby become none the less interesting to us, such is the greater variety of subject and manner which they present, corresponding to the variety of circumstances and persons for which they were prepared.

It was highly important that the persons who delivered from memory the orations which professional pens had written for them should seem to speak out of their own individuality. For, so far as their speeches should appear to bear the stamp of another mind, so far the impression upon their judges would be unfavorable. Accordingly, the speech-writer needed to study the persons for whom he wrote, as well as their causes, and to adapt each address to the characteristics as well as the circumstances of the speaker. This Lysias has done in such a way that, without introducing

unessential matter, or speaking otherwise than in the purest Attic, he has made each oration a “character-picture,” a work of art expressing the personality of the speaker. Dionysius says of him in this respect: “He was by far the best of all orators in discerning the nature of men, and in attributing to each their appropriate feelings and manners and acts (7). . . . To each age, and kind, and education, and calling, and manner of living, and other things in which persons differ, he gives the natural expressions” (8). This was what the ancients praised in Lysias as the art of character-drawing (*ηθορούα*), and they highly esteemed him for expressiveness (*ἐνάρπασις*), and fidelity to life (*διαρίπωσις*).

The style of Lysias has been briefly described in the Preface to this volume. Dionysius calls him “an excellent standard of the Attic tongue, not of the old, which Plato and Thucydides have used, but of that which was current at that time” (2). The ancients regarded his style as a model of the *genus tenuis*, *λογχὺος γένος*. The difficulty of describing this by any one or two English synonymes is apparent from the multitude of predicates by which Francken endeavors after an exhaustive translation, namely, “Tenuitati . . . propria est *gracilitas* et *siccitas*, i. e. ornatius defectus; simul *subtilitas* sive acuta demonstratio; denique *brevitas*. Tenuis orator parcus est verbis, et inornatus, sed idem sanus ac sobrius, subtilis, tersus, elegans, cavebit a jejunitate.” — *Commentt. Lys.*, pp. 9, 10. Lysias gives everything its common and familiar name; he seldom uses a metaphor, even in passages of the highest eloquence. Demosthenes also, and other Attic orators, used figurative language sparingly, but this plain style was peculiarly adapted to the sphere for which Lysias designed his orations. Dionysius praises him for his faculty of “making things seem uncommon, and dignified, and great, while using the most common expressions, and abstaining from poetic devices” (3). His luminous precision, his naive truthfulness, his straightforward movement, deserve to be studied by every orator who aims at the orator’s practical end of conviction and persuasion. As contrasted with

Demosthenes, he is thus characterized by Francken: "Flumine verborum abripit Demosthenes, 'monte decurrens velut amnis'; Lysias leniter allabitur, placidi et quieti rivuli instar, qui raro fluctus movet. Sanitatem et sobrietatem Atticam in utroque agnoscas, sed vehementior est Demosthenes, quietior Lysias." (*Ib.* p. 10.) Isocrates, on the other hand, writing comparatively few orations, and expending proportionately more time in perfecting them,—ten or fifteen years, it is said, upon his *Panegyricus*,—is much more elaborate than Lysias in the arrangement and treatment of his subjects, and, though harmonious in the flow of his sentences, sometimes wearisomely so in the monotonous finish of his elegant periods. But with regard to Lysias, furthermore, there is a peculiar charm (*χάρις*) of elegant completeness and graceful finish investing his works. Dionysius calls it "the charm which blooms over the whole expression and arrangement,—a thing indescribable and most admirable. For it is most easy to see, and manifest to every one alike, both common man and artist, but most difficult to show in speech, and not readily achieved even by those best able to express themselves. This, indeed, I believe to be the best and most characteristic merit of the style of Lysias; whether one should call it a happy gift of nature, or the result of labor and art, or a habit or faculty combined of both, in which he excels all the rest of orators" (10).

As regards the details of oratory, the ancients regarded Lysias as unsurpassed in his *statement* of a case. In *argument* he is ingenious and acute. While he looks at his subject on all sides, he has a keen perception and vigorous grasp of the strong points of a case. His *thought* is never hampered by its *form*, but easily frees itself, by agreeable changes of construction, whenever the form is in danger of proving burdensome or obscure. More than any other Attic orator, Lysias uses the favorite *rhetorical ornaments* of that Sicilian school in which he had been trained (see *Notes*, §§ 1, 7, 37, 54, 78, *Or. against Eratosthenes*). Yet his use of them is never such as either to detract from the naturalness of his style,

or to interfere with the sober earnestness of his aim. In his *introductions*, Lysias shows the greatest variety. Each oration seems to open with the spontaneous thought of the moment. In his *conclusions* he is generally brief, and is fond of condensing in a terse statement the main points which he has presented.

In this connection the following remarks of Curtius upon Attic oratory, and that of Lysias in particular, deserve perusal : —

“ The real oratory of the Athenians connected itself closely with the tasks of actual life, as they offered themselves in the law courts and in the popular assembly. Here it could take for its model neither the pomp of the style of Gorgias, nor the artistically constructed periods of Isocrates ; for the ample and self-satisfied manner of the artistic orators was not in its proper place when the point at issue was to treat a given case according to the facts at issue, and, in the short time allowed, concisely to combine that which was adapted for determining the decision of the civic assembly, or of the jury. . . . But this Attic oratory reached its fullest development, and the most abundant evidence of it remains, in the works of Lysias, who is likewise by the experiences of his life so intimately associated with the internal and external history of Athens. . . . He now applied himself entirely to forensic oratory, which at Athens came more and more into the foreground, and which was also the principal subject treated in the books of instruction. Under the salutary discipline of a practical profession, Lysias put aside whatever had formerly clung to him of artificiality and sophistic mannerism ; he emancipated himself from all useless ornament, and wrote his speeches in so straightforward and simple a style, that they became perfect models of the natural grace of Attic prose. He moreover possessed a peculiar gift, which very probably was due to his Sicilian blood, namely, the power of seizing with admirable force the characteristic points, according to age and social class, in the particular personages whose suits he conducted, and of thus making his speeches dramatic sketches of actual life.” — *Hist. Greece*, V. pp. 180, 181.

That the writings of Lysias were highly esteemed in antiquity, is evident from the number of commentators upon them, whose works, however, have not survived together with their names. The most valuable critique of him that we have from any ancient writer, is that of Dionysius of Halicarnassus (who died soon after B. C. 7), of whom Francken says, that whoever attempts to praise Lysias, after Dionysius, will probably seem to be writing the Iliad after Homer.

CORRESPONDING REFERENCES IN THE OLD AND NEW
EDITIONS OF HADLEY'S GRAMMAR.

OLD	NEW	OLD	NEW	OLD	NEW	OLD	NEW
68, Rem. c	576		742	690	814	789 d	969 c
77 b and d	576 a	742 c	691	816	789 e	969 d	
104 a 112 a & b	577 a	744	694 c	819 d	790 c	971 a	
203 a-c 217	580	748	698	827	790 e	971 c	
256 291, 292	580 a	748 a	699	828	791 a	972 a	
315 362 & a	583	751	701	829 ff.	792 a & b	973 a	
367, Rem. e 390	584 b	753 c	702	832	795 e	978	
368 b 391 b	584 c	753 d	703	834	791 & 1	981 & a	
398 475	584 f	753 g	704	835 & a	799	982	
416, 1, a 500, 1, a	585 h	755	706	837	801	984, 985	
469	585	757	708	841	801 a	984 a	
492 h	606 b	591	759	846	802	986	
495	—	595 b	764, 2	712	849 & b	808 & a	994
496	621 b	598	768	720 b	866, 2	810	996 & a
509 (β)	730 a	600	769	723 a	874 & a	810 a	—
511 h	616	803	773	726	878	813	999 & a
525 d	655 d	604	774	732	879	813 a	999 b
527 a	657 a	605	775	734 a	928 a	814	1000
527 c	657 b	607 a	777	734 b	cf. 932	816	1002
527 d	658	608	780	735	932, 1	816 a	1002 a
535 a	669	610	781 & a	738	—	887	1023
535 b	670	611	776	739	881	839	1025
538 a	673	626, Rem. r.		746	895	842	1028
538 e	705		cf. 757	751	902	843	1030
547 a & b	629		795, 1	752	903	844	1031
	715 a & b	630 b	795, 2 a	754 & a	905 & a	848 a	287, 719 b
547 c	716 b	645 a	801, 3 b	754 b	906	850, 3	1037, 3
550, a, b 720, a, b	650		803, 1	756	911	851 a	1037, 4 a
553 & a 724 & a	656		808, 1	756 a	886	852, 5	1037, 5
554	—	664	651	757	912-918	854	1039
555	725	665 a	652 a & b	760 a	898 c	855 b	1040 b
556 a	726 a	665 b	652 c	763	945 & 949	856 a	1041
556 b	726 b	669 b	680, 2 & 3	764 b	948	857	1042 b
566		671	684	766	950 fin.	858 b	1043, 2
	cf. 729, a, Rem.	672	686	769	955 & a & b	859 a	1044 b
572	732	676	692	770	953	867, 4	1048, 4
572 a	732 a	679	696	771	927 & 924	870 a	1050, 4 a
574	736	681 b	699 a	776	941	870 d	1050, 4 d-f
574 a	737	688	812 b	777	944 & a	874, 2 a	1053, 2 a
574 b	738	688 a	812 b	781	959	881	1058
574 c	739	689		813	788 a	cf. 969	884
575	743	689 a		813 a	789 b	969 a	1061
575 a	743 b	689 b		815	789 c	969 b	1062

NOTES.

THE DEFENCE OF MANTITHEUS.

XVI.

INTRODUCTION.

N. B. — In the following pages the orations are severally referred to by the numerals prefixed to each, which are the same that designate them in the complete series.

THE date of this oration is determined by the references in § 15, as shortly subsequent to the battle at Coronea. Accordingly the oration must have been delivered some ten years after the time of the Thirty Tyrants. Mantitheus had obtained an election to the Senate. But, so strong was the hatred still cherished toward the Thirty and their adherents, that in the constitutional scrutiny (*δοκιμασία*) of the senators elect, — which took place before the out-going Senate, — the objection was raised against Mantitheus that he had served among the cavalry during the year of anarchy, as the Athenians termed that period of unconstitutional government.

It had been decreed, after the restoration of the democracy, that those cavalry-men who had served in the time of the Thirty should refund the *καράρραις*, that is, the allowance granted them by the state for their outfit. It is likely that the tyrants, anxious to recruit the ranks of a force on which they depended, had perverted this allowance to cavalry-men, customary as it had been before they came into power, into a mere bounty for partisans, and that the resources for it came from unrighteous confiscations. The decree of reclamation was doubtless a stroke of censure at the cavalry, who had incurred the hatred of the people by the devotion which they had shown to the cause of the tyrants. Grote remarks, that the horsemen, as a class, had steadfastly supported the Thirty through all the enormities of their

career, and had made themselves their partisans in every species of flagitious crime which could possibly be imagined to exasperate the feelings of the exiles. (*Hist.*, VIII. pp. 246, 302.)

This reclamation of the *καρδοταρις* naturally produced some law-suits, which were tried before judge-advocates (*σύνδικοι*), who had been appointed to take cognizance of the claims for indemnification, that arose after the return of the exiled democrats, whose property had been confiscated by the oligarchs. The lists of the cavalry-men were, of course, in evidence. These lists were on tablets covered with gypsum (*σαρίδια*). These lists, as might have been expected, had been more or less corrupted, names erased and names inserted. The results of the legal proceedings were probably various. But a connection with the cavalry service, whether positively ascertained or not, made in many cases little difference. (See § 8.) Grote remarks, "the general body of the knights suffered so little disadvantage from the recollection of the Thirty, that many of them in after days became senators, generals, hipparchs, and occupants of other considerable posts in the state." — *Hist.*, VIII. p. 306. Sometimes, however, they were more severely treated (*Or. XXVI.* § 10).

Mantitheus, with his somewhat careless demeanor, may have given occasion for the complaint. He makes, however, a seemingly unimpeachable defence with a skilful use of facts, and with a free and unreserved exhibition of his life and his personal character. He appears as an Athenian from a good family of the old stamp, hostile to the dissolute life of elegant men of his age, not very careful in his external appearance, and rather disposed to brave criticism. He is active, devoted, resolute, and brave, in a somewhat rough and impetuous way, but takes pains, by uprightness and solid merit, to secure the approbation of his fellow-citizens. Such a character captivates us by its probity and openness, and in its clear delineation Lysias has furnished an excellent proof of his skill.

GENERAL NOTE ON POINTS OF THE ATHENIAN CONSTITUTION TOUCHED IN THIS ORATION.

[For fuller statements see especially Smith's *Dictionary of Greek and Roman Antiquities*.]

1. THE *civil* and the *military constitution* of the Athenians ran parallel. The nation, since the democratical reorganization by Clis-

thenes, B. C. 509, had been divided into ten *tribes* (*φυλαῖ*). These possessed each its leading officers, its common sanctuaries, and its tribal festivals, but, as corporations, they had no political significance, and served merely as organs for the performance of civil and military services. (Curtius, *Hist.*, I. pp. 407, 408.

The phyle, says Grote, seems to have been "the only military classification known at Athens." The soldiers of each phyle formed a division of the army (§ 15) called a *rágis*, subdivided into *λόχαι*, under *λοχαγοί*. The *rágis* of the Athenians was thus a larger body than among other Greeks. Each *rágis* was under a *rágiarchos*. The ten *taxisarchs*, who acted as lieutenants and assistants of the ten *strategi*, both in peace and in war, commanded only the infantry of the ten phylæ. The cavalry commander in each phyle was called *φύλαρχος* (§ 6), and the ten *phylarchs* were themselves subordinate to two *hipparchs* (*ἱππαρχοι*, § 8). The chief military officer was the *strategus* (*στρατηγός*, § 8). Of these there were also ten, one for each phyle. They were elected by popular suffrage, and presided over all matters belonging to the war and the foreign department. They also nominated and exercised control over the *trierarchs*, or naval captains, and, in general, were charged with superintendence of the public safety. They had the power, in an emergency, of convoking, with consent of the senate, an extraordinary assembly of the people; and even of prohibiting or dissolving the assembly, if so the necessities of the state seemed to require.

2. *Phylæ* and *Demes*. The phylæ possessed no local centres of their own, but were simply aggregations of *demes*. These demes (*δῆμοι*) were local parishes, and demes which might be remote from each other were often included in the same phyle. In each phyle there were originally ten demes, but the number gradually increased. The common local centre of the phylæ was the city *agora*, where the statues of the ten tribal heroes stood, but that of each deme was its own *agora*. The land-holders in each deme were catalogued, and "registration in these parish lists served as evidence that an individual belonged to the country in general, and was entitled to the enjoyment of civic rights. Though he might change his habitation as often as he liked, he still continued to belong to the deme in which he had once been registered."—Curtius, *Hist.*, I. p. 407.

Like our towns, the demes had their local governments, treasuries, and meetings, and raised their quotas for the army and navy. The

demes were sometimes of large extent and populous. The deme of Acharnæ supplied a force of three thousand men in the Peloponnesian War. The members of a deme were called *demotæ* (δημόται, § 14), and the head man of each deme was styled *demarch* (δήμαρχος).

3. The *Senate* (Βουλή) had been composed, since the time of Cleisthenes, if we except the revolutionary period about the close of the Peloponnesian War, of five hundred citizens, not under thirty years of age, who were chosen by lot (*κίναρος*), and held office for a year, meeting daily, except on festivals and holidays, and receiving the compensation of a drachm (about eighteen cents) per day. Every senator elect had to undergo the scrutiny (*δοκιμασία*) (see *General Note*, 5), in which evidence must be presented of citizenship, age, and freedom from *ἀρπαγή*. (See *General Note*, XXV. 3.) The functions of the senate were to originate business for the general assembly, to take care for the navy and arsenals, to regulate all matters of finance, to judge of the qualifications of magistrates, and of the members of their own body; and also to receive, and sometimes to try, informations (*εἰσαγγελίαι*). (See *General Note*, 7.) The judicial power of the senate was limited from B. C. 461 to the imposition of a fine of five hundred drachms — about \$90.45. Each phyle was represented by fifty senators, and each fifty took the lead of affairs a tenth part of the year, by lot, under the name of *prytanes* (*πρυτάνεις*). One of these was drawn each day to preside as *Epistates* (*ἐπιστάτης*) in the senate and the assembly, and to hold the public seal and keys. After 370 B. C., the *Epistates* chose nine *proedri* (*πρόεδροι*), one from each phyle but his own, and one of these presided in the senate and the assembly, while the other *Epistates*, as chairman of the *prytanes*, held the keys and seal.

4. The *assembly* (*ἐκκλησία*) embraced all the qualified freemen of Attica. A man could be qualified for membership at the age of twenty. The meetings, held regularly four times in each prytany, or forty times a year, assembled in the *Pnyx*, a semicircular area on a low hill southwest of the *Areopagus*. All matters of public and national interest, foreign or domestic, might become subjects for discussion. It was not according to law to bring forward any particular measure that had not previously received the sanction of the senate by a *προβούλευμα*, or been referred by that body to the assembly. Privilege of speech was not confined to any class or age. Speakers addressed the meeting from a high platform of stone (*βῆμα*, still exist-

ing). The sense of the meeting was expressed by a show of hands (*χειροτονία*) or by ballot (*ψήφος*). The attendance on ordinary assembly days probably numbered about five thousand.

As in addition to the forty regular meetings of every year there were many special meetings, the poorer classes would either be burdened by attendance, or must resign the control of affairs to persons of wealth and leisure. There was some justice, therefore, in the arrangement which secured the attendance of the poorer citizens by allowing a compensation of, at first, one obol (three cents) a day, which was increased afterward (B. C. 392) to three obols.

5. The *Δοκιμασία*. Before any person who had been designated or elected to an office was permitted to enter on its duties, he was obliged to pass an examination into his previous life and conduct. This scrutiny of qualifications was called the *dokimasy* (*δοκιμασία*). It did not take account so much of the actual capacities and personal qualities of the persons elected, as of matters like the following: Whether the individual were a genuinely born Athenian citizen and of proper age; whether he had discharged his filial obligations to his parents, and had done his duty as a citizen in war; whether he had borne his part in the customary sacrifices, and had discharged his debts to the state; and whether he had engaged in any transactions prejudicial to the state, or such as should incapacitate him for civic functions. The *dokimasy* was held sometimes before the senate, sometimes before the jury-courts of the dicasts. (See *General Note*, XII. 3.) It was in order at such times for any person to object to the fitness of the candidate under scrutiny. So wide-reaching an examination of a man's whole record, public and private, gave wide opportunity to objectors, and permitted, as we see in the following oration, an equal discursiveness in reply (§ 9). This institution was sometimes perverted to the gratification of private grudges, but was also turned to account against some unworthy persons who could not be successfully prosecuted under the laws.

6. A *Syndicus* (*σύνδικος*) is sometimes synonymous with a *Syngorus* (see *General Note* to the next oration), and sometimes, as in this oration, denotes an advocate of a peculiar kind, possessing some judicial powers. The duty of this class of *σύνδικοι* seems to have been to exercise jurisdiction in disputes respecting property claimed both by the state and by private parties, especially confiscated property. The first appointment of such functionaries took place on the restoration

of the constitution after the overthrow of the Lysandrian tyranny, B. C. 403. The name of *σίνδεσμος* was also specially given to orators sent to represent the state before a foreign tribunal.

7. *Dike*. The general word denoting any proceeding at law between parties was *dίκη*. This had a wider and a limited sense. In the wider sense, *dίκη* included both public and private actions; in the more limited sense it meant a private suit, while *γραφή* was the word specially appropriated to public actions (see *General Note*, VII. 1); and these again were divided into *θύειαι*, or criminal prosecutions, and *δημόσιαι*, or state trials. The different classes of trials were also included under the general name of *ἀγώνες*. *Εἰσαγγελία* signified an information laid before the senate or the assembly, especially in cases not covered by the laws, or in case of eminent persons, or heinous offences, or when a combination of crimes was charged, or when speedy trial was necessary.

8. *Martyria*. In the courts of Athens only freemen possessing their civil rights could be witnesses (*μάρτυρες*). Of the testifying of women or minors there is no instance on record. Slaves could testify only under torture (see *General Note*, VII. 2). But alien freemen could testify like citizens. Neither of the parties to a suit was a competent witness in his own case, though each was obliged to answer questions put by the other (see *Or.*, XII. §§ 24, 25). A witness who refused to appear when summoned was liable to prosecution. He was not obliged to be present at the preliminary hearing (see *General Note*, VII. 1), but his deposition had to be handed in then in writing. When he was ill, or out of the country, he could be examined by commission, and his deposition was then called *ἐκμαρτυρία*. Hear-say evidence, except the declaration of a deceased person, was inadmissible. After the preliminary hearing, no fresh evidence could be introduced. When the trial took place the witness was obliged to be present in court. When he was introduced, the water-clock (*κλεψύδρα*), which measured the time allotted to the speakers,—in the midst of whose addresses the witnesses were brought forward at fitting points,—was stopped, the witness ascended the speaker's platform, and signified his assent to his written deposition as read to him by the clerk. Either at the preliminary hearing or at the trial, an oath was administered to the witness at the altar by the opposite party. A contumacious witness incurred a fine of 1,000 drachms. A false witness was indictable, with punishment, if convicted, at

the discretion of the court. In our editions of the orators, the words *μαρτυρία* and *μαρτυρεῖ* are interchangeably used to denote the introduction of witnesses.

In connection with this subject, the original signification of the word *martyr* in the Christian sense will readily be appreciated.

NOTES.

XVI.

ANALYSIS.

PART I.—REPLY TO THE SPECIAL CHARGE, §§ 1–8.

“ II.—EXHIBITION OF THE SPEAKER’S RECORD, §§ 9–21.

I.—1. **Introduction**: The accusers’ malice gives the speaker a valuable opportunity to demonstrate his character, §§ 1, 2.

2. The proposition; stating in general what the speaker expects to prove, § 3.

3. The argument, §§ 4–8, namely:

A. **An alibi**: he was out of the country till the affairs of the Thirty had become critical, § 4; and at such a time it was not likely that he and they would have become connected, § 5.

B. Whatever a falsified register may show, § 6, his name does not appear as a cavalry-man either in the phylarchs’ lists, or in the judicial reclamations, § 7.

C. Were it true that he had served in the cavalry, he could show that he had harmed no one, and could point to many such who had been honored with high office, § 8.

II.—1. **Introductory**: A personal narrative is required by the nature of the case, § 9.

2. The narration, §§ 10–16.

A. Of his conduct in domestic relations, § 10.

B. And also in social and public life, §§ 11–16.

a. Negatively.

a. as averse to dissolute habits, § 11.

b. and never charged with a breach of law, § 12.

b. Positively.

a. as a volunteer for dangerous service, § 13.

b. generous to poorer comrades, § 14.

c. steadfast in battle, § 15.

d. and of undaunted daring after defeat, § 16.

3. **Argument on the facts presented**, §§ 17–19.

A. Popular favor and political rights cannot justly be refused to a man with such a record, § 17.

B. The true criterion of an honorable and worthy citizen is such a record, § 18, rather than peculiarities of personal appearance and manner, § 19.

4. **Conclusion**, §§ 20, 21. (See *Notes*.)

1. — *συνῆσαν*, *G.*, 49, 2. H., 746. — *βούλομένους*, *G.*, 113. H., 799. — *κατηγόριας*, *G.*, 173. H., 577. — *διαβούλημένους*, *G.*, 18, 4. Notice the emphasis given by position before the subject *τούτους*. *οἵτις*, the indefinite relative, gives a general signification to its antecedent *τούτους*, "this class of persons...who." — *ἀναγκάσιον*, *G.*, 62. H., 757. — *αἴροις*, *G.*, 188, 3. H. 600.

2. — *ἕστι' θάνατον*, *G.*, 65, 3. H., 770, 771. — *εἴ τις...τυγχάνει*, *G.*, 48, I. A. 1, & R. 1. — *διακέίμενος*, *G.*, 112, 2. H., 801. — *ἴμοι*, *G.*, 171, N. 1. H., 576, a. — *δικούση*, *G.*, 20, N. 1; 60, 3, N.; 61, 3. H., 760, a. — *μεταφελέσσαν*, *G.*, 27, N. 3.

3. — *προδεῖξο*, *G.*, 50, 1, & R. 1. Is the tense a future or an aorist subjunctive? See *G.*, 37, 2, N. 1. What is the apodosis? — *τῶν αὐτῶν κυβέρνου μὲν ἔριν*, *G.*, 170, 2, & 186. H., 574, a, & 603. — *τὰ δόλλα*, i. e. everything beside his just-mentioned attachment to the established constitution, and what he had endured in consequence. — *μεγίστας*, a modest expression for "laudably." — *βεβιωκός*, *G.*, 112, N. 8. H., 797 & 802. — *δέομαι*, *G.*, 10, N. 7. So *δέξω*, above. H., 699, a. — *δοκιμάζειν*, see *General Note*, 5, *Δοκιμασία*. — *οὐχ ἵππευον* [*οὐτέ* *ἵππευμον*], the bracketed words seem to have got out of place from § 4. Discriminate between this imperfect and the aorist *μετέσχον*. *G.*, 200, N. 5. *G.*, 19, N. 2. — *μετέσχον*, why not accented *μέτεσχον*? *G.*, 26, N. 1. H., 368, b. Free from all connection with the administration, he was impliedly free from all responsibility for its actions.

4. — *Ἔμας*, emphatic position. — *συνφορᾶς*, at *Ægospotami*, on the European side of the Hellespont, opposite Lampsacus, where about one hundred and seventy vessels, nearly the whole of the Athenian fleet, were taken by Lysander, September, b. c. 405. This disaster was the finishing stroke of the Peloponnesian War. — *Σάτυρος* (I.), king of a district in the Tauric Chersonese (modern Crimea), whose capital was Panticapœum, also called Bosporus, from its situation on the west side of the Cimmerian Bosporus (Strait of Yenikale). The region had been colonized principally from Miletus, and maintained a flourishing trade with Athens in particular, which drew from it annually 400,000 medimni (600,000 bushels) of corn. Says Curtius: "Of all the existing foreign relations, those with the princes on the Cimmerian Bosporus were in truth the most favorable and the best warranted," etc. *Hist. V.* p. 137. — *διατηρομένους*, *G.*, 109, 5. H., 789, d. — *ἔξενην*, notice the force of the *ἔξ*, "out of the country." — *τεχών*, the Long Walls and the fortifications of Piraeus. See *Or. XII.* § 40, Notes. — *καθαιρουμένων...μεθισταμένης*, *G.*, 16, 1. — *πολιτείας*, see *Or. XII.* §§ 73-76. — *πρίν*, *G.*, 106, 2. H., 769. — *Φυλῆς*, the military operations which resulted in the expulsion of the Thirty commenced in the occupation of Phyle by a force under Thrasybulus. Phyle, 11 miles from Athens, is a

fortress on a precipitous rock, "Phyle's brow," commanding the pass of Mt. Parnes on the road from Thebes to Athens. — καταβέσθ, February, B. C. 403. — ἡμέας, G., 188, 2. H., 610.

5. — καίτοι, a particle of very frequent occurrence in Lysias, compounded of *καί* and the enclitic *τοι*, an old dative of the 2d pers. pron., frequent in Homer as an ethical dative, from which use it readily gained the function of a slight intensive. *καίτοι* signifies, *and yet certainly; and yet; although.* — εἰκός ἡν...τεθύμειν, G., 49, 2, N. 3, (a). H., 703. — ξύνεται has the force of an imperfect, as will appear if the personal construction be translated by the impersonal, "nor does it appear that they had," etc. See G., 16, 2. Sauppe prefers to read *σχέτεται*. But the reference to the past is clear enough in the present participle; and besides, the aorist has a special sense not pertinent here. See H., 708. — μηδέται ξεμαρτάνεται, not *τοῖς μ. ἔ.*; those who had committed no fault are not a distinct class from those who were out of the country (which the repetition of the article would intimate), but these latter just because of their absence were blameless. (Francken.) For the negative, G., 283, 4. H., 889. — πολιτεᾶς, G., 170, 2. H., 574, a. — τρίμαχον...δῆμον. Perhaps such a case as that of Theramenes (see *Introd.* to the following oration) was in the speaker's mind. And yet the sense of the passage, as it stands, seems to take the edge off from Mantitheus's argument, that the tyrants trusted no one who had done nothing wrong. Francken favors Reiske's conjecture that, after *τὸν δῆμον*, *ἔτιμον* has dropped out. If so, the statement would agree with XXV. § 13: *τοῦς τλεῖστα κακὰ διὰς εἰργασμένους εἰς τὰς τιμὰς καθιστασαν.*

6. — σαυδίου, see *Introduction*. — Ιππεῖν, i. e. θεὶ Ιππειον. G., 15, 3, & R. 1. — ἐγγεγραμμένοι (so Cobet), the proper term for the entering of names on a list, not ἐπιγεγραμμένοι. — ἔκεινος, H., 679, b, last part. — δημοφίσασθε...ἀπενεγκεῖν, G., 92, 1, & R. 1. — καταστάσις, see *Introd.* — ἀναπράξητε, G., 44, 2, & N. 1.

7. — ἄμφι, emphatic. — ἀποδεῖσθεν, G., 50, 2, & 52, 2. — συνδίκοις, see *Introd.* and *General Note*, 6. — καταβαλόντα (so Bock, Francken, Frohberger, and others, while Frei and Kayser regard the bracketed words as spurious); the refunding of the allowance would have been the decisive indication: *καταβαλόντα* seems preferable to the common reading *παραλαβόντα*, both for that reason, and for the sake of the climax in which the three participles then stand, *ἀπενεχθέντα...παραδόθέντα...καταβαλόντα*. — τούτο, H., 679, a. — ἀναγκαῖον ἦν, see *Note* on εἰκός ἦν, § 5, above. — ἀποδεῖσθαι, G., 54, 2, (b), and 50, 2, R. (a). — ἔκεινοις τοῖς γράμμασιν, i. e. the lists of the phylarchs. These, although just mentioned, are designated more distantly as *ἔκεινοις* in contrast with the *σαυδίοις*, referred to by *τούτοις* (*γράμμασιν*), as either produced in court, or made specially

prominent by the accuser. — τῷ βουλομένῳ, *G.*, 108, 2. The participle here involves the protasis, *εἰ τις βούλοιτο*, or *ἔβούλετο*, *G.*, 51, and Note 3.

8. — εἴτε πιπερια...οὐκ ἀν ἦν, *G.*, 49, 2, with R. (a.) & (b.) — ἀε... πεποιηκάς, *G.*, 109, N. 4. H., 795, e. — *τίθουν*, has an implied *ἀν*, derived from the preceding *οὐκ ἀν ἦν*. — *ἀποδεῖξας*, equivalent to *εἰ διέδεικα*, *G.*, 52. — *βουλεύοντες*, “members of the senate.” — ἀστε.. ἡγεμονί, *G.*, 65, 3, Note. — *μου*, *G.*, 173, 2, N. H., 583. — *μαρτύρησαν*; the witness was probably to testify as to the time of the absence and return; see § 4. The *alibi* was thus far the main point in his defence. — **MARTYRIA**, see *General Note*, 8.

9. — οὐκ εἰδέντες τις πλέον λέγειν. Here begins the second and more discursive part of the oration. The case, so far as concerned the accusation now so thoroughly refuted, had been sufficiently argued. In an ordinary lawsuit, Mantitheus might well have rested here. But as wide range was allowed both to complaint and answer in the public scrutiny of the character of candidates for office (see *General Note*, 5, *Δοκιμασία*), he is not content to have proved a mere negative, but now goes on to show that his actual life and character had been that of a praiseworthy citizen, entitled to such political rights as that now called in question. — *ἀπολογεῖσθαι*, *G.*, 91. H., 763. — *ἀκροάσασθαι*, *G.*, 23, 1, & *Rem.* — *ποιήσομαι*, *G.*, 199, 2. H., 689. — *διὰ βραχυντάτων*, *H.*, 629, PHRASES.

10. — *πρῶτον*. The first point which Mantitheus makes is with reference to his domestic and private affairs, *τὰ οἰκια*, as distinct from *τὰ κοινά*, his social and public relations. — *οὐσίας...καταλειφθεῖσης*, *G.*, 277, 5. H., 790, e. — *συμφορᾶς...τὰς τῆς πόλεως*, in the course of the Peloponnesian War. — *ἐπιδότες*, sons inherited the whole patrimony, but with the obligation of supporting their sisters, and providing them suitable marriage portions. — *τράκοντα μνᾶς* = half a talent: a mina was worth about § 18. — *διολογεῖται*, acknowledged at that time and still acknowledges. *G.*, 15, 1, & *Rem.* — *ἔμοι*, *G.*, 175. H., 585. — *μηδεπότε...μηδέ...μηδέν*, *G.*, 283, 8, last part. H., 848.

11. — *διάφορα* (so Sauppe and Frohberger), preferable to the common reading *διάφορα*, on account of the preceding perfect, *βεβίωκα*. — *τιμακεῖσας*, literally “moderation,” unassumingly covers the claim to a virtuous and honorable life. — *ποιούμενοι*, *G.*, 199, 3. H., 690. — *τούτοις*, here not strictly necessary, but subjoined to *πλεῖστα* with significant emphasis, as if = “*these* are they who talk and lie about me *most*.” — *τῶν αὐτῶν*, *G.*, 171, 2. H., 576. — *τιθεμυοῦμεν*, “we” = they and I.

12. — *ἀποδεῖξας*, distinguish from differently accented forms. H., 367, R. e. — *δικην...γραφήν...εἰσαγγελίαν...ἄγνωστος*, see *General Note*, 7. *δικη* here denotes a private suit. This, however, would fall under the head of *τὰ κοινά*, his social and public relations. — *σκέψασθε*, *G.*, 22.

13. — *πρέστον*, subordinate to the *πρώτον* in § 10. See *Analysis*. — *ἐπουραστή*, *G.*, 19, N. 4, b. H., 706. — [τὸν], Rauchenstein brackets the article here, “because Lysias omits the article before gentile nouns.” — *Βοσρετός*. The so-called Corinthian War, which was carried on by sea and land for some seven years, was fomented by the Persian satrap Tithraustes for the purpose of relieving the Asiatic provinces from the presence of a Spartan army, and of transferring the scene of hostilities to Greece. The Thebans headed an anti-Spartan league, and occasioned the outbreak of the war, b. c. 395. The resolution of Athens to send military aid to Thebes was her first emergence from the political eclipse which she had suffered at the close of the Peloponnesian War, and at the time when this force was sent, the city was still without fortifications and without ships. — *εἰς Ἀλιαρτόν*, a city of Boeotia. Lysander, the conqueror of Athens, had been routed and slain before Haliartus prior to the arrival of the Athenian force. — *Ὀρθοβοσόλου*, probably the phylarch of Mantitheus's tribe. — *εἶναι*, *G.*, 15, 2, N. 2. The Spartans were generally weak in the cavalry and strong in the infantry. Rauchenstein, after admitting the bracketed *δεῖν*, remarks that it is better, with Francken and Cobet, to drop it, and instead, with Frohberger, to put *εἰ*. — *ἀναβάντων ἐν τὸς ἵππους*, “entered the cavalry service.” — *ἀδοκιμάστων*, in violation of the rule which required that, before entering the service, both men and horses should undergo an examination satisfactory to the hipperchs. — *ἔσαλειψα*, *G.*, 23, 2, N. 4. — *μυλλοντός*, *G.*, 25, 2. H., 711. — *παρασκευάσαντι*, *G.*, 138, N. 8. H., 776, fine print. See *ἔξιρνος*, XII. § 31 and *Note*.

14. *τῶν δημοτῶν*, the members of a deme served together. — *ὅτι χρή*, *G.*, 70, 2, R. 1. H., 734, a, 735. — *τοὺς ἔχοντας*, *G.*, 276, 2. — *συνεβούλιανον...βίσκα*, *G.*, 19, N. 2. — *αὐτός*, *G.*, 79, N. 1. H., 669, b. — *κεκτημένος*, *G.*, 200, N. 6. H., 712. — *γίνηται*, like *διατρέξῃτε*, § 6, *G.*, 44, 2, & N. 1.

15. — *εἰς Κόρινθον*, the Athenians sent some six thousand hoplites, about one fourth part of the heavy-armed force which the allies sent into the field against Sparta, with about six hundred cavalry. Thrasylus commanded. — *δεῖστε*, the past thought quoted in the direct form, *G.*, 77. What would the indirect form be? — *τῆς πρέστης*, supply *τάξεως*, which Cobet inserts in the text. The genitive may be construed with some such word as *διπλίτης* understood; *G.*, 169, 2, N. H., 572. — *θυστυχησάσης*, in the battle of Nemea in the Corinthian territory about midsummer, 394. The Athenians were outflanked and severely handled. See *Grote*, IX. pp. 306–308. *Curtius*, IV. 249. — *τοῦ σεμνοῦ Στερπίων*, “the grand Stirian,” ironically. Thrasylus was of the deme Stiria, in the phyle Pandionis. This reference shows the oration to have been delivered while the events were recent, and before the death of Thrasylus, who was slain near Aspendus, in Pamphylia, in 390. *or as is more likely 381*.

16. — **χαρίαντες λεχυνῶν.** The passes of the Isthmus remained as before, in the control of the forces of the League. Moreover, the camp to which many of the defeated allies retired was so strongly secured by the nature of the ground (*καὶ γὰρ ἦν λάσιον τὸ χωρίον*, Xen. *Hell.* IV. 2, 19), that the victors did not attack. — **μὴ δένανθαι.** G., 283, 3. H., 837. — **Ἀγητλάσον**, the second monarch of that name, “the ablest and most energetic of the Spartan kings” (*Grote*, X. 363, *sq.*), having been recalled from a career of victory in Asia to succor the Spartan interests in Greece, defeated the allied forces at Coronae in Boeotia, a few weeks after the battle of Nemea. — **ἀμβαλόντες** stands in the causal relation to **ψυχισάμενων**. — **τῶν ἀρχόντων**; these were the *strategi*. See *General Note*, 1. — **ἀποχωρέαται**, “to detach.” — **βοηθήσονται**, G., 74, 1, p. 162. See Note on *δεήσει*, § 15, above. — **δευτέρη**, a touch of grim humor. — **ἀμαρτῆται**, “barely,” a meaning derived from the more radical signification “contentedly,” through the intermediate idea of what will no more than content. — **ἀληρεῖται**, such a matter was regularly determined by the lot. — **τάξιν**, here evidently in the sense of **φύλην**, while, as supplied with **τῆς πρώτης**, § 15, above, it denotes, more restrictedly, a single rank in order of battle.

17. — **τοῖσι...ἀξιοῖσι**, G., 184, 2. H., 595, b, last part. The constitutional scrutiny would prevent such cowards from holding office. — **ἴχοιν**. G., 54, 1, (a). — **ἐπολούν...ἐπόλμαν...ἐπολῶν**, mark the proper force of the imperfects, as distinguished from aorists. — **οὐχ ἀσ οὐ**, G., 283, 8. H., 844. — **Ινα, εἴ ποτε**, the speaker states his past intention in the form of quotation. G., 74, 1. In the direct form, **καθισταίμηται** would have been in the subjunctive, or the future indicative (G., 50, 1, & N. 1), and **τυγχάνομαι** in the subjunctive after **Ινα** (G., 44); depending on the leading verb **ποιήσω**, or **ποιῶ**, here **ἐπολούν**. For another instance of this unconcealed avowal of an interested motive, see XXV. § 18.

18. — **τὰς ἐξόδους**, compare **ἐξόδου**, § 15. The article is here restrictive = “those in which I took part,” G., 141, N. 2. H. 527, d. — **ποτόμενος**, G., 112, 2. — **κομῷ**, Hamaker’s widely approved emendation of the common reading **τολμῷ**. With many imitators of the Spartan fashion (*Δακωνισταί*, as they were called), Mantitheus let his hair and beard grow long. This would be taken by some to indicate his political sympathy with the foes from whom Athens had suffered most. Supply **χρή** before **μοσεῖν**. — For the rhyme-like ending of the two clauses, **σκοπεῖν...μοσεῖν**, see XII. § 1, note on **διπεικεῖν**. — **ἴκ...δέλδονται**: **ἀφελεῖσθαι** **ἴκ** is more commonly said with reference to *things*, **ὑπό** with reference to *persons*.

19. — **μικρὸν διαλεγόμενοι**, G., 109, 2. H., 789, b. Those who used a moderate tone and utterance would naturally be more persuasive with many than loud and fast talkers. — **πολλὰ κάγαθὰ ὑμᾶς**, G., 165. H., 555, 547, c.

20. — The *conclusion* of the oration, so far as its form goes, is quite peculiar. Mantitheus takes occasion, from a minor objection that had been

made to him, to conciliate the favor of his hearers by a frank and manly confession, § 20, while he puts his justification into the form, at the end, of a brief but graceful compliment to the tribunal, § 21. — *γεθόμην*, *G.*, 19, N. 4 (a). — *διὰ ταῦτα*, *H.*, 679, a; compare *διὰ τοῦτο μασέν*, § 18, above. — *ὅτι νεότερος ἀντικείμενος*, *G.*, 81, 1. It was the rule in Solon's time that persons of fifty years and upwards should have precedence in addressing the assembly, but this had become obsolete. Would the imperfect, *ἐνεχείρουν*, have presented the thought any differently from the aorist? — *τῶν ἀμεντοῦν πραγμάτων*, *H.*, 538, fine print. — *δοκεῖ... διατεθῆναι*, *G.*, 92, 2, N. 2. *H.*, 777. — *προγόνων ἐνθυμούμενος*; instead of the simple genitive (*H.*, 576), the genitive with *περί* may be used. The participle denotes cause. *G.*, 109, 4. *H.*, 789, c.

21. — *ἀληθῆ χρή λέγειν*, apologetically, since he intimates that they, if any, are to blame. — *τοιούτους*, "such" as those who undertake to address the assembly of the people. — *ἀξίους*, supply *τιμῆς*. Cobet reads *πολλοῖς* *ἀξίους*. — *δρῶν τιμᾶς*, *G.*, 52, 1. — *τι... ἀχθούσθε*, the protasis is thrown into the form of the subsequent declarative sentence. Stated in the regular conditional form, the thought would have been expressed thus: "And besides, if you more than others have to decide whether such persons are worthy or not, why should you be displeased with them" [for endeavoring to gain your favor]?

The abrupt conclusion is both pointed, and characteristic of the self-reliant temper of the speaker.

THE ORATION AGAINST ERATOSTHENES.

XII.

INTRODUCTION.

THE triumph of Sparta and her allies in the Peloponnesian War was an overthrow, throughout Greece, not only of the Athenian power, but of the democratical principles for which that power stood. The loss of the Athenian fleet at *Ægospotami* took place in September, B. C. 405. About November, the victorious fleet commenced the blockade of Piræus, while the Peloponnesian army encamped at the gates of Athens. In April, the entry of Lysander into the city at once terminated the famine-agonies of the siege, and introduced the miseries of the year of misrule,—“the anarchy” (*ἀναρχία*) as it was ever afterwards called by the Athenians, as the period during which the constitutional government was suspended. The dark picture which is presented in this oration is the more impressive, because it is but a specimen of a widespread condition of things at that time. Says Mr. Grote: “Lysander, in all the overweening insolence of victory, while rewarding his devoted partisans with an exaltation comprising every sort of license and tyranny, stained the dependent cities with countless murders, perpetrated on private as well as public grounds.”—Vol. IX. p. 188. And again: “We shall be warranted in affirming, that the first years of the Spartan empire, which followed upon the victory of *Ægospotami*, were years of all-pervading tyranny, and multifarious intestine calamity, such as Greece had never before endured.”—*Ib.*, p. 191.

Immediately after the capture of the fleet, the oligarchical party commenced organization by appointing a managing committee of five, subserviently called by the Spartan name of Ephors, § 43. After the surrender of the city, the next step was the accusation and imprisonment of the leaders of the democratical party, some account of which is given by Lysias in his Oration against Agoratus (XIII.), who acted as the tool of the oligarchs. Then, under the protection of Lysander’s presence, who came from Samos for the purpose, § 71, the revolution was consummated in a popular assembly, by means of the menaces

narrated in § 74. The Thirty being thus clothed with power, about June, 404, Lysander returned to finish the siege of Samos, but a Spartan garrison at the service of the tyrants was sent to keep the Acropolis, § 94, under Callibius,—a man whom even Lysander censured for his insolence to the conquered,—besides which the Thirty maintained their own band of ruffians ready to execute without flinching the most flagitious commands.

Under the democratical constitution the accused had been entitled to trial either by the numerous jury-court called the dicastery, or by the senate, or by the assembly of the people. But by the Thirty many were put to death without trial, §§ 17, 82, while of those who were tried before the senate, newly composed as it now was of the appointees of the Thirty, the fate was generally secured beforehand, though sometimes not without the intimidating even of such a body. In the great number of cases brought before this tribunal, the only acquittal pronounced was in the case of the informer Agoratus, who was set free in return for his evidence. While a few justly obnoxious persons perished at first, a far greater number of worthy citizens were soon seized and executed, among them not only men who had served the state with munificence and ability, but even some of the best members of the oligarchical party itself. In the perpetration of these crimes even respectable citizens were forced to render service, §§ 30, 90, so that, by becoming compromised in the doings of the Thirty, they might, for their own safety's sake, be disinclined to a counter-revolution, in which power might pass into avenging hands.

Excesses like these roused immediate opposition. In the circle of the Thirty itself there was a section of less fanatical sentiments led by Theramenes. He had at first been as forward as any to sanguinary measures. But, partly from sagacious foresight of the ruinous consequences of an unmitigated policy, and partly from jealousy of the predominating influence of Critias, he began to play the part of an opposition leader, declaring that regard must be had to public opinion, and support for the government must be looked for in the community which they governed. These views would probably have controlled the policy of the body in favor of milder measures, had it not been for an audacious stroke of Critias, who suddenly overawed the senate with an armed force, and handed Theramenes over at once to the ministers of death. Such a death not only redeemed his character in some sort, but even secured to him an extravagant degree of praise, as a martyr

to the cause of justice. That this posthumous credit of Theramenes furnished some political capital to men like Eratosthenes, is clear from the elaborate effort which Lysias makes in this oration, §§ 62-78, to exhibit Theramenes, with whom Eratosthenes claimed to have acted, in the odious character which was really his.

More successful were the operations which Thrasybulus, at the head of a small armed force of exiles, with aid from Boeotia, commenced in November, 404, by the seizure of the stronghold of Phyle, eleven miles north of Athens, and followed up in February by the occupation of Munychia, the acropolis of Piræus. The pulling down a part of the walls of Piræus, instead of keeping Athens at the feet of her conquerors, had opened a road to her liberators. In Piræus the ruin of maritime interests had intensified the popular discontent, and the number to whom the liberators might look for reinforcements had been swelled by the influx of more than five thousand fugitives from Athens. And when the Thirty endeavored at once to carry by assault the strong position which Thrasybulus had taken on the hill of Munychia, a defeat followed, in which seventy of the assailants were slain, and, what was of especial consequence, Critias himself fell, together with Hippomachus, another of the Thirty. As an immediate result, the moderate party among the oligarchs became predominant, and the Thirty gave place, about February, 403, to the Ten, § 54. Only one of the Thirty, Phidon, became a member of the new board. Eratosthenes, however, remained with him in the city, inspiring the councils of the government, § 58, though not nominally holding power. The rest of the surviving members of the deposed board retired to Eleusis, which, by the seizure and execution of a large number of innocent citizens, § 52, they had previously taken care to make secure for themselves as a city of refuge.

Instead, however, of any accommodation with the exiles resulting, as had been hoped, from the change of rulers, hostilities continued between the city and Piræus, § 55, a struggle whose terms, as Lysias bitterly says, were such that the city men, if victorious, would be enslaved by usurpers, while the humiliation and suffering of defeat must be borne in order to obtain equal rights with the conquerors, § 92. In this struggle, Lysias himself, despoiled though he had been by the Thirty, lent valuable aid, contributing two hundred shields, and two thousand drachms in cash, besides hiring three hundred fresh soldiers, and negotiating a loan of two talents from his friend Thra-

sydæus of Elis. With such a spirit among the patriots, with continual accessions from the numerous exiles, and with some aid from other cities, the Piræus party kept the city party on the defensive, until the intervention of a Spartan force at the call of the Ten, § 60.

Had Lysander, whom the Ten had expressly desired as commander of these succors, § 59, taken control of affairs at that crisis, it would have gone ill with Thrasybulus and his compatriots. But such indignation had been excited even among the confederates of Sparta by the Lysandrian policy as displayed in Athens and the other subjugated cities, that it became the interest of Sparta to rid Athens of her misery. And so, after Lysander had been sent forth to settle in his own way the disturbances at Athens, the king Pausanias, his personal and political opponent, having won over to his views a majority of the Ephors, was appointed, in May, to supersede him in the chief command. Under his auspices, after some fighting and long negotiation, at the end of ten months of civil war, peace was re-established, in September, 403. The exiles in Piræus were restored, and a general amnesty was sworn to, from whose benefits there were excepted only the Thirty, the Eleven who had executed their sentences, and the Ten who had governed in Piræus (not to be confounded with the Ten who had succeeded the Thirty). The democratical constitution was now immediately restored as soon as possible ; but the practice of payment for the performance of the duties of citizenship was not re-established.

Under the new order of things, however, Eleusis was left in possession of the Thirty and their adherents, an asylum for all refugees of that party, and a stronghold of conspiracy and treason. It was not long before their proceedings provoked the Athenians to take the field against them with the entire force of the city. In the course of these hostilities the generals of the oligarchs were seized and put to death. After the flight of the rest of the Thirty and other obnoxious persons, Eleusis was re-incorporated, with oaths of mutual amnesty and harmony, in one political community with Athens.

But when the exiles had returned, impoverished, and smarting under the wrongs which had been inflicted on them and their innocent relatives, especially as they daily felt the hateful presence of the men who, for revenge or gain, had committed or abetted those outrages, attempts were not wanting, in evasion of the amnesty, to seek reparation by instituting legal proceedings against the guilty parties. In consequence of such attempts it became necessary, in the year after

the restoration, to pass the law of Archinus, by which any defendant in such cases was entitled to plead the amnesty in bar of all proceedings.

Previous to this, and probably while the exiled tyrants were still in occupation of Eleusis, Lysias brought his complaint against Eratosthenes, who, with Phidion, seems to have remained in the city. The compact which excluded the Thirty from the amnesty conceded even to them the privilege of remaining, if they were ready to submit their conduct as members of the government to the judgment of the people (see *General Note* to the next oration, 2, *Euthyne*). In venturing on this course Eratosthenes probably placed reliance on the posthumous credit of Theramenes as a martyr, which he might claim to share as having acted with him. Lysias certainly seems conscious of a strong prejudice in a portion of his hearers in favor of Eratosthenes. The selection of the dicasts by lot brought, of course, men of all parties into the panel. Some there doubtless were who, however they disliked the Thirty, were not of the popular party, and not likely to vote with it in the secret suffrage of the dicastery, § 91. Others, either voluntarily or by constraint, had so compromised themselves with the Thirty, as to be too lenient judges. Some may have felt that, if Eratosthenes were convicted, they might not themselves be safe. Furthermore, men of standing and eloquence were ready to speak for Eratosthenes, § 86, and there was no lack of persons to testify in his favor, §§ 87, 88.

In contending against these adverse influences, and in appealing to the sympathies and the patriotism of his hearers, Lysias seems to have bent all his genius to the performance of the sacred duty which, both according to Athenian custom, § 24, and in obedience to natural impulses, he owed to his murdered brother. As, however, the guilt of that murder could not be brought directly home to Eratosthenes, who could plausibly contend, § 25, that he had been forced by his colleagues to make the arrest, and that he had then pleaded, though in vain, for the life of the prisoner; Lysias does not confine himself to his personal complaint. This occupies, in fact, only the first third of the oration, beyond which Lysias proceeds, in behalf of his injured country, to enlarge upon the whole iniquitous and treasonable career of the Thirty, in which he contends that Eratosthenes, as a voluntary partner of the usurpers, was equally inculpated and responsible.

We can easily conceive what public interest must have been excited

in this, the first important judicial proceeding after the restoration of the constitution. A discourse so charged with just resentment toward the authors of so many private wrongs and public disasters, pronounced, as it was, before the deep impressions of two years of misery and dishonor had begun to fade away, must have waked stirring echoes in many a patriotic bosom and many a bereaved heart. The orator commends himself to us also by his modesty as well as his eloquence, such is the reticence which he maintains respecting those praiseworthy exertions and sacrifices, known to all, which he had put forth for the enfranchisement of his adopted city. Undoubtedly first in order of composition among the author's orations, this one is not inferior to any either in interest or in merit. In his capacity as prosecutor in such a cause, Lysias had the opportunity, which otherwise he would have lacked, to plead the cause of the city itself. In so doing, he was able to review the whole of the recent history of the city, and to instruct the people, as a political leader, upon their situation and its duties. And so his discourse rises from a mere plea for justice upon a criminal, to the rank of a statesmanlike oration.

It is a singular circumstance that no record is extant of the result of so important a trial, so that we must remain without the satisfaction of knowing that Lysias gained his case.

GENERAL NOTE ON POINTS OF THE ATHENIAN CONSTITUTION TOUCHED IN THIS ORATION.

1. *The Archons.* After the kingly office ceased in Athens, the chief magistrate was styled archon (*ἀρχων*). This office, at first for life, and then for a term of ten years, became, B. C. 683, an annual magistracy, and its honors and duties were distributed between nine individuals, who, after a time, instead of election by suffrage, were designated by lot. The chief of these, styled by eminence *the archon*, gave his name to the year of his office, and was thence called the archon *eponymus* (*επώνυμος*); he was the legal protector of widows and orphans, and judge in certain family matters. The next, or *king* archon (*ἀρχων βασιλεύς*), had superintendence in matters of religion, and in cases of homicide, which it was his duty to bring before the Areopagus. The third archon, styled the *polemarch* (*πολέμαρχος*),

commanded the army (till 490 b. c.), and judged between citizens and non-citizens. Each of these three had also the superintendence of particular religious festivals. The remaining six, styled *legislators* (*θεομοθέται*), had it for their duty to report to the people every year on the subject of the revision of the laws, and to be judges in matters not reserved to the superior archons. But the chief part of their duties was in the receiving of informations, and in bringing cases to trial in the courts. After the Persian War, the archons were withdrawn from political and military duties, and their judicial power was limited to the imposition of small fines. From the time of Pericles, the archon simply received complaints, and conducted the preliminary inquiries, fixed the day of trial, and presided over the dicastery which heard and decided the case. The person of an archon, when wearing the official chaplet of myrtle, was sacred ; he had the privilege of exemption from the *trierarchy* (see *Trierarch*), and at the expiration of his year of office, if his record was such as to bear the customary scrutiny, he became a member of the *Areopagus* (see *Areopagus*).

2. The *Areopagus* (*ἀρεόπος μάγος*) was a rocky eminence opposite the western end of the Acropolis, and in close proximity. The name was transferred to, the *council* or *senate* which *assembled there*, holding its sittings in the open air. Instituted in remote antiquity, and originally the sole council of the city, it retained its pristine honor more permanently than any other part of the Athenian constitution. Its powers, varying at different periods, were of a somewhat elastic and discretionary nature, and were regulated to some extent by that public opinion of the better citizens which the body was supposed to reflect. It was composed exclusively of past archons, sitting in it for life after the expiration of their archonship. It had particular oversight of matters connected with religion, and of cases of homicide ; while at one time, as supervisor in general of the public morals, it exercised functions analogous to those of the Roman censors. In times of emergency, the *Areopagus* seems to have acted as a *Vigilance Committee*, or as a *Committee of Safety*, § 69, and miscellaneous public matters were from time to time referred to it. As the single political body which was neither elective nor otherwise responsible to the people, it formed for some time an obstacle to the complete development of democratical principles (see Curtius, *Hist.* II. p. 420 *sqq.*), until, about b. c. 461, Ephialtes, in conjunction with Pericles,

carried a law which abolished its political power. Thenceforward, although retaining its judicial competence chiefly in cases of homicide, and shorn of its amplest powers, it was still retained during the period of the freest democracy as a venerable relic of the primitive aristocratic institutions, and, especially in its capacity of a criminal court, enjoyed a reputation of long continuance. After the restoration of the constitution, B. C. 403, the Areopagus regained its ancient dignity as guardian of the commonwealth, by being intrusted with the duty of seeing to the accurate observance and the unimpaired preservation of the newly arranged laws.

3. The Athenian *Dicast* (*δικαστής*) was a member of a dicastery (*δικαστήριον*), a body which sat to give judgment (*δικάζειν*) in proceedings at law. By the laws of Solon, B. C. 594, the assembly of the people had the power of reviewing and pronouncing upon the administration of the archons, at the expiration of their year of office. In the time of Clisthenes, B. C. 509, the collective body of citizens above thirty years of age appears to have been convoked and sworn to try persons accused of public crimes, and in such a capacity to have borne the name of *heliasts* (*ἡλιασταί*), or the *helicea* (*ἡλιαία*). But as the extension of the sway of Athens brought more and more law business to that city, the accumulation of that business made it necessary to subdivide the heliasts. In the time of Pericles, nearly the whole judicial power, in civil cases as well as criminal, was transferred to the dicasteries thus formed. Six hundred citizens being annually selected by lot from each of the ten tribes, five sixths of the total number were divided into sections, or panels, of five hundred each, in which members of all the tribes were thrown together indiscriminately, while the remaining thousand were held as a reserve from which to fill vacancies. The *thesmophetae*, or six junior archons, decided by lot which panel should sit, and where, and who should preside at the trial. In some important cases two or more panels were united, sometimes only a fraction of a panel sat, but the usual number was a full five hundred. Not only Athenians, but the subject allies also were amenable to these tribunals, whose number, whose assignment by lot, and whose secret ballot, § 91, prevented that intimidation or corruption to which smaller or differently constituted bodies might have been liable. The dicasts were sworn in collectively at the beginning of their annual term of service. The court-rooms were painted of different colors, and each had its letter of the

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each in person

alphabet inscribed over the doorway. Each dicast also bore a staff, on which was painted the color and the letter of the court allotted to him. The dicasts sat on benches spread with rugs or matting. The advocates, during their addresses, occupied an elevated stand (*βήμα*). "The city," says Curtius, "resembled a vast court of law, when, early in the morning, the hosts of jurymen, the fourth part of the entire civic body, were seen moving." (*Hist.*, II. p. 499.) For each day of service the dicast received at first one, and afterwards three oboli. At the latter rate, the annual amount of the dicasts' fees, in the most flourishing period of the city, was one hundred and fifty talents.

The dicastery, in giving its verdict, voted by ballot (*ψῆφον φέρειν*). The most common way was for each dicast to drop into a box one of two pebbles or balls of stone (*ψῆφαι*), which had been furnished him. One of these was black, and the other white; or one was pierced, and the other whole: the white pebble, or the whole one, meant acquittal (*ἀποψηφίζεσθαι*); the others, condemnation (*καταψηφίζεσθαι*). The pebble not used in the ballot was dropped into another box, and thus the secrecy of the ballot was secured.

For a discussion of the practical working of the dicasteries, and a comparison of them with modern juries, see the valuable remarks of Grote, *Hist.*, V. pp. 385–400.

4. A *Synegorus* was one who pleaded a case at law in behalf of another. The traditional usage at Athens for parties to plead their own cases in court was modified by the development of law, and the cultivation of rhetoric, which put unlearned and inexperienced men at disadvantage with better versed opponents. A class of men sprang up, of whom Antiphon, § 67, first became distinguished, who gave legal advice to others, and wrote speeches for clients. Lysias himself, as well as Isaeus and Isocrates, obtained considerable income by such speech-writing: these were *λογογράφοι*, as distinguished from *συνήγοροι*. In general, while a party was still expected to speak for himself, the old rule was relaxed, so that, after a short speech, he might obtain permission to yield the floor to his more capable friend, or *συνήγορος*. Thus the principal speeches were frequently made by the advocate, as being *δεινὸς λέγειν*, § 86. But as no fees were suffered to be paid for this service, the advocate was expected to show the court what motive led him to appear.

As to the number of advocates allowed in any one case, there was

only this limitation, that the time allowed to a side was all the same, whatever the number of speakers. Each party had two opportunities to be heard ; the plaintiff opening, and the defendant replying ; then the plaintiff speaking again, and the defendant closing.

In criminal trials, it was common to have several speakers for the prosecution ; especially in cases where the state was materially interested. A public advocate employed by the state to assist in a prosecution was allowed the fee of a drachm.

5. A *Liturgy* (*λειτουργία*) was a personal service which was required of certain citizens, who, as larger property-holders, were expected to be larger burden-bearers. Liturgies were classified as ordinary and extraordinary, and the former class might be imposed on any citizen — save a few specially exempted — who possessed as much as three talents. These liturgies came in turn to the members of the several tribes who possessed the requisite property, but not more than one liturgy at a time, and not oftener than every other year. The tax thus imposed on the wealthy was in general liberally discharged (see the next oration, § 13, and the following oration, § 31). To fulfil only the letter of the requisition seemed to many incompatible with true public spirit. Nor were cases wanting in which a wealthy citizen would volunteer to undertake a liturgy out of turn. In times of stringency, a liturgy was sometimes undertaken by two persons jointly, especially the choregia and the trierarchy, which latter is the only liturgy which may be properly classed as extraordinary.

6. An Athenian *Trierarch* (*τριηράρχος*) was charged with somewhat more than the duty, which is implied in his title, of commanding a trireme.

Though sometimes wealthy citizens patriotically furnished and served in their own ships, yet ordinarily the state provided the trierarchs with their vessels, at least the hulls and masts. Like modern ships, each trireme in the Athenian navy had its name, as “the Siren,” “the Liberty,” “the Democracy,” etc. The Athenian harbors were calculated for four hundred triremes ; three hundred was the normal number held in readiness for service, capable of taking on board a force of sixty thousand men. Sixty triremes regularly cruised in the *Ægæan* as a police squadron and for practice. The equipment, certainly in the Sicilian expedition, B. C. 415, was at the cost of the trierarchs ; and at a later period, when triremes were fitted out from the public stores, repairs were at their expense, while they

were also obliged to return in good condition the rigging and equipments which they had received. Sometimes, from motives of display, a trierarch would go to unnecessary expense with his own means in the outfit of his ship. The procuring of a crew made another item of cost to the trierarch. Among the crews were many aliens, freedmen, and slaves, but the nucleus of each crew consisted of Athenian citizens. These were ordinarily obtained through the demarchs from the several demes; but it occasionally became necessary for the trierarchs to give bounties to induce fit persons to serve. To meet such costs, a client of Demosthenes, B. C. 361, had even to mortgage his estate. Pay and provisions for the sailors and marines were supplied at the public cost. The expense to the trierarch of his year of office averaged about 50 minæ, or over \$944.

After B. C. 358, the burdens of the trierarchy, which had previously been borne in turn by the individual members of the tribes, were distributed among the twelve hundred richest citizens, grouped in twenty *symmories* (*συμμορίας*) of sixty members each.

7. The *Choregia* (*χορηγία*) was the most expensive of the Athenian liturgies of the ordinary kind. The burdens of the office lay in providing choruses of different kinds for the various dramatic and other performances connected with the public festivals.

Dramatic entertainments were not of daily occurrence at Athens, as with us, but were exhibited at great festivals, the *Lenaea* and the *Dionysia*, held in honor of Dionysus (or Bacchus). At such times, the theatre was crowded the day long, while play after play was acted. When a poet wished to bring out a play, application was made to the second archon, or in case of the great Dionysia, to the first archon, who, if the play were deemed deserving, nominated a *choregus* (*χορηγός*), whose duty it was to bring out the play with a suitable chorus (*χόρος*). In the earliest times the choregus himself led the chorus, as his name — chorus-leader — implies. It was at the poet's option to train the chorus himself, or to have the services of a professional trainer. From the time of Sophocles the ordinary chorus for a tragedy was composed of fifteen. In a comedy, the number of the chorus was commonly twenty-four. The specific duties of the choregus were to procure the *choreutæ* (*χορευταῖ*), or members of the chorus, to provide a trainer and a training-room, to pay and support both the trainer and his class during their preparations, and furnish the necessary costumes for the exhibition. The burden of the chore-

gia varied with the nature of the chorus ; the expense of a single chorus averaged perhaps half a talent, or about \$550. The emulation of the choregi made the service the more expensive. The choregus who was judged to have done the best received the prize of a tripod. The whole expense of the play, however, by no means devolved upon the choregus. Demosthenes reproved his countrymen with lavishing larger sums on their festivals than on their naval service. "Count the cost of their tragedies," says Plutarch ; "you will find that their Oedipuses and Antigones and Medeas and Electras cost more than their wars for supremacy with the other Greeks, and their struggles for freedom against the barbarians."

8. The *Eisphora* (*εἰσφορά*) was an extraordinary tax on property, levied whenever the burdens of war required. It was laid by a decree of the assembly, and collected under the superintendence of the strategi. To defray the expenses of the siege of Mytilene, b. c. 428, the sum of 200 talents was thus raised at one time.

9. A *Metœcus* (*μέτοικος*) was a resident foreigner. Athens, as the commercial emporium and literary centre of Greece, was the favorite resort and residence of strangers from every quarter. "Whoever," says Curtius, "considered himself an adept in his art, was aware that no place existed where he would meet with a readier recognition or with ampler gains." (*Hist.*, II. p. 539.) The population of Attica was about half a million, of whom 90,000 were citizens, 45,000 metœci, and 365,000 slaves. The civic duties required of the native Athenians were so engrossing as to throw nearly all business, industrial and mercantile, into the hands of metœci, who on this account resided mostly in Piræus. The Athenian metœcus was subject to the same burdens as the citizen, certain liturgies excepted ; was obliged to serve in both the army and the fleet ; was taxed somewhat higher than citizens of the same valuation, besides being subject to an annual alien-tax of twelve drachms on each family. Yet he was not permitted to become a real-estate owner, but must live in a hired house, and must have some citizen for patron (*προστάτης*), through whom alone he could transact legal business, private or public. An Athenian metœcus might, however, like Lysias, obtain the *isotely* (*ἰσοτέλεια*), a condition of immunity from the disadvantages of aliens, which was inferior in privilege only to the condition of the native citizen, who possessed the right of suffrage and was eligible to office. In the war of liberation which Thrasybulus waged, the re-

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ward of isately was promised to all aliens who should assist the patriot cause.

10. A *Sycophant* (*συκοφάντης*, literally, a fig-shower) was originally a person who informed against another for exporting figs. The exportation of figs had been prohibited by law at an early period in the history of Attica; and this law, though it had ceased to be sustained by public sentiment, was meanly made use of by some informers from motives of gain. Their practices were facilitated by the Athenian policy of encouraging the detection of offences by permitting any person to prosecute any offender in court. But the obnoxious character of such informations under an almost obsolete law indelibly stained the name of sycophant as a term of reproach, denoting the bringer of malicious and vexatious accusations. The evil import of the term expanded, conformably to the usual character of the class of persons to whom it was originally applied. And so, its primary meaning disappearing, it came to signify, in general, a slanderer, a black-mailer, a lying scoundrel, an extortioner. Nevertheless, as the informer, in case of conviction, received half the penalty, and as guilty persons were often glad to pay hush-money, the disgraceful business had no lack of followers, and the most stringent laws were not able to suppress the evil.

To the preceding references to the political and social constitution of Athens the following, of a more miscellaneous nature, are subjoined, derived mainly from Bancroft's *Literary and Historical Miscellanies*, art. *Economy of Athens*.

11. *Attic Money.* If Böckh's estimate of the Attic *talent* as worth 5,625 francs be accepted, then (the franc being now worth $19\frac{1}{16}$ cents) a talent = \$1,085+. The following table exhibits the values and equivalents of the several denominations:—

1 obolus (<i>οβολός</i>)	=	\$0.03
6 oboli	=	0.181
100 drachmæ	=	18.09
60 minæ	=	1,085.00+

The same authority reckons the Attic gold stater, the Cyzicene stater, and the daric as of equal value, each worth about 20 drachms, or \$3.62. Smith's *Dict. Anc. Geog.*, art. *Cyzicus*, reckons the Cyzicene as = 28 drachms, or \$5.06.

The ratio between ancient and modern prices is stated as one to three. This does not vary much from the result obtained by comparing the

prices of wheat. Wheat brought at Athens, b. c. 390-380, thirty-six cents a bushel; in the age of Demosthenes, sixty cents was a moderate price. Wheat is quoted at Boston this summer (1875) at from \$1.17 to \$1.48.

The cost of living at Athens. A house could be bought for a price varying from \$54 to \$2,160, according to size, location, and quality. \$1,000 would buy a very fair house. Twice that sum was an extreme price. The average price of an acre of good land in Attica was \$36. Estates were small and greatly subdivided.

Provisions were cheap. The retailer of wheat was restricted to a profit of three cents on a bushel. The wine of Attica brought about two cents a quart, and a fair article could be had for half that sum. The best beeves brought, in prosperous times, from \$9 to \$13.20. Board was, as we say, reasonable. Demosthenes, his mother and sister, together paid for their board \$126 a year, providing the house besides.

As to clothing, a good cloak might cost \$2.16; a fashionable coat, \$3.60. A good quality of women's shoes could be had for 36 cents a pair; men's ditto, a showy article, \$1.44.

Manual labor could be hired for twelve cents a day. This was not bad, considering the rates of salaries. Senators received 18 cents for each day of service; jurymen, half that sum. A foot-soldier received 36 cents a day for pay and rations for himself and attendant, the officers twice, and the generals only four times that amount. "Stars" at the theatres, however, were paid as liberally as now-a-days. The highest sum mentioned is \$1,085 for two days' service.

Travelling was not expensive. From *Ægina* to *Piræus*, sixteen miles, the fare was six cents. From *Egypt* to *Pontus*, thirty-six cents.

Funerals were expensive. The cost of a funeral would pay for a house. The scale ran from \$54 to \$2,160.

The quantity of fuel that an ass could carry sold for 36 cents.

Slaves outnumbered the free population three to one, and could be bought cheap. Prices varied from \$8.25 to \$30. A skilful workman would bring about \$90. Everybody, even the poorest, was served by slave-labor.

12. *Athens and Piræus*, the city and port, although enclosed within the same fortifications, and inseparably united as a double city,—see *Note to § 40* of this oration,—were internally as unlike as possible.

“While Athens, hastily rebuilt amidst her ruins, as necessity demanded, was disorderly, devoid of plan, and full of narrow and crooked lanes, the Piræus, on the other hand, was a modern city, with large open places, roomy cloistered halls, broad and rectangular streets,—in its entirety a work of art, the creation of Hippodamus.” (Curtius, *Hist.*, II. 611.) In the city, the houses were of wood or unburnt brick, of a single story generally, and often unsightly and mean. The city contained about 10,000 houses. The public buildings were disproportionately costly. The Propylæa, or Gateway of the Acropolis, cost \$2,183,020; and the docks (see *Note* to § 99 of this oration), \$1,085,620.

“Privatus illis census erat brevis,
Commune magnum.”

HOR. *Od.* II. 15, 18.

NOTES.

XII.

ANALYSIS.

(For the filling up of this outline, see the Notes in successive sections.)

PART A.—SPECIFIC PLEA UPON THE INDICTMENT FOR MURDER.

- I. Introduction, §§ 1-3.
- II. Narration of the facts, §§ 4-20.
- III. Comments on the facts narrated, §§ 20-28.
- IV. Confirmatory, §§ 24-36.
 - a. By examination of the defendant, § 25.
 - b. By discussion of his statements, §§ 26-36.

PART B.—GENERAL ARRAIGNMENT OF THE DEFENDANT AS A TRAITOR AND TYRANT WORTHY OF DEATH, § 37 *sqq.*

- I. Narration of his political career, §§ 39-61.
- II. Refutation of his claim to favor on the score of Theramenes, §§ 62-80.
- III. Comments on the complete case, §§ 81-91.
- IV. Appeal to the jury, §§ 92-98.
- V. Peroration, §§ 99, 100.

1.—*ἀργαρθατ*, H., 691. The *exordium* of the oration includes the first three sections, in which, respectively, the orator sets forth (1) the *importance* of the case, (2) its *peculiarity*, and (3) *his own inability* to do it justice.—*ἀνδρες δικαιοτατοι*, see *General Note*, 3. *ἀνδρες* is here used, like our

"gentlemen," as an appellation of respect. See *Buttmann's Gr.*, § 123, N. 6. — *κατηγορίας*, H., 574, b. — *λέγοντι*, the concluding word attracted by the introductory *μοι*: see XVI. § 13, *Note on παρασκευόσαντι: λέγοντα* could also have been used. — *τοιαῦτα*, the omission of *γάρ* makes the style more energetic. — *ατροῖς*. Although Eratosthenes only was indicted, yet the orator means to make him the scapegoat of the Thirty. Hence the frequent alternations between references to him and to them throughout this oration. — *μήδεος*, strictly denoting magnitude, has here a qualitative force in connection with the qualitative *τοιαῦτα* = "such in enormity." — *ψυχόμενον...δύνασθαι*, G., 52, 1; 53. For the position of *δν*, G., 42, Note 1. *δν* might have been repeated with the second disjunctive, G., 42, 4. — *ἀνάγκη*, "scarcely found construed otherwise than in this elliptical manner." (*Buttmann's Gr.*, § 129, N. 18.) Supply *τοι*. — *ἀνατεντ...τελετεντ*; notice the rhyme-like ending, *δύνασθεντος*, — a rhetorical ornament not uncommon both in Greek and Latin rhetoricians. Compare with the introductory thought, *οὐδείς δράξασθαι*, as amplified in this section, the remark of Cicero in beginning his oration for the Manilian law: "*hujus autem orationis difficilis est exitum quam principium invenire; ita mihi non tam copia quam modus in dicendo querendus est.*"

2. — *ἐν τῷ πρὸ τοῦ χρόνῳ* = "aforetime," literally, "in the time before this (time)." For *πρὸ τοῦ*, see G., 143, 2. H., 525, d. — *ἴχθραν...τελετεντα*, in justification of the complaint, inasmuch as false accusations were often brought by the so-called sycophants (see *General Note*, 10, *Sycophant*) against persons with whom they had no just quarrel. Compare Cicero in defence of Roscius, § 55: "*nemo nostrum est, Eruci, quin sciat tibi inimicitias cum Sex. Roscio nullas esse: vident omnes qua de causa huic inimicus venias; sciunt hujusce pecunia te adductum esse.*" — *ἴχθραν*, H., 726. — *ἵτις άη*, G., 68, 3, and 70, 2. — *τοὺς φεύγοντας*; in law, *φεύγω* had the technical meaning of "to be prosecuted"; hence, *ὁ φεύγων* = "the defendant." — *ἵτις ήν*, G., 70, 1. — *ἀνθ' έτου*, "in consequence of which," H., 818; see *δνθ' ήτοντος*, XXV., § 12. — *άς οὐκ έχων*. See XVI., § 8, *ώς...πεντηκώς*, and *Note*. — *ἴχθρας καὶ συμφοράς*, the latter term is coupled with the former as being its consequent; the calamities were caused by enemies. — *τοὺς λόγους ποιοῦμαι*; *λόγοι* has sometimes in forensic use the specific meaning of *accusations*. See XXV., § 2, *ποιοῦμαι τοὺς λόγους*. — *άφθονίας οὐσης*, G., 111.

3. — *πράξας*, G., 109, 7. The orator desires indulgence toward his maiden speech. — *τούτου*, H., 583, fine print. — *άστε κατέστην*, see XVI., § 2, *Note on άστε έλπιζω*. The aorist is here nearly equivalent to the perfect, G., 30, 1, N. 1, "I have many a time been in despair, lest," etc., and hence governs the mood of the dependent sentence like a primary tense. — *ποιήσωμαι*, G., 46, N. 1. So also Sauppe and Frohberger, instead of the

common *ποιήσωμαι*. With his own inexperience Lysias contrasts, § 86, the ability of the opposing advocates. — *&τ' θλαχίστερον*, see XVI., § 9, διὰ βραχύτερον, and *Note*.

4. — The accuser, in grim earnest, now hastens to plunge in *medias res*. The case against Eratosthenes, introduced, § 4, with the briefest reference to the accuser's blameless and trustworthy character, is put into a trenchant *narrative of facts*, concluding at § 20.

Οὐράς = δέ έμει. — ἐπειδὴ μέν... οὐδὲ 84. μέν and οὐδέ are very often used as here, where there is either no antithesis or a weak one, merely to exhibit the antecedent and the consequent proposition in their connection. When so used μέν is untranslated. — *Περικλέους*. Pericles, the son of that Xanthippus who defeated the Persians at Mycale, B. C. 479, was the greatest statesman of Athens. Born of a good family, reserved and stately in his manners, well educated, and endowed with an impressive eloquence, foresighted and self-controlled, a born leader of men, but mild and liberal toward opponents, he influenced the public policy for a period of about forty years. Under his guidance the democracy of Athens realized its complete development in well-balanced institutions; while through the improvement of agriculture, the extension of commerce, the cultivation of letters and philosophy, the fortification of the city, and its ornamentation by magnificent edifices and other works of art, the period of his ascendancy was the golden age of Athens. — οὐδὲ, G., 161. H., 550. Cephalus had probably been dead some fourteen years. — *Σίκην*, see XVI., *General Note*, 7. — *εἰκαστάμενα*, H. 689, b. Notice that the verb agrees with ημεῖς. In English, on the contrary, after a disjunctive, the verb must agree with the nearest subject. — φίλοιμεν, we as a family lived. — οὖστα... *εἰμαρτάνειν*, G., 98, 1. The compound verb here in the sense of the uncompounded.

5. — *συκοφάνται*, see *General Note*, 10. — *κατέστησαν*, is this a first or second aorist? H., 416, a. — *φάσκοντες*, begins the principal sentence, or apodosis, H., 732. — *τῶν ἀδίκων*, G., 180, 2. H., 584, f. As to the fact, see Xen. *Hell.*, II. 8, 12, in Goodwin's *Gr. Reader*, pp. 65, 66: "Ενετρα πρώτον μὲν, οὐδὲ πάντες γέδοσαν ἐν τῷ δημοκρατίᾳ περὶ συκοφαντίας γέννας, καὶ τοῖς καλοῖς καὶ δυσαθροῖς βαρεῖς θνάτους, συλλαμβάνοντες, ὑπῆρχον θανάτου· καὶ η̄ τε βουλὴ ηδέως αὐτῶν κατεψήσετο, οὐ τε ἄλλος, δοὺς ξυγέδοσαν ἔντοῦς μὴ θνήτους τοιούτους, οὐδέτερον. — *πολίτες*, subject of *τραπέσθαι*. — *τοιεσθα λέγοντες*, a condensed repetition of the clause *φάσκοντες... τραπέσθαι*, so as to bring out more strongly the contrast between *saying* and *doing*, which is previously implied in *φάσκοντες* = "alleging." — *πρῶτον εἴπων*, "after I have first spoken."

6. — Compare *θλεγον* and § 7, *θηθον*, with the following *θθον*; the imperfect tenses denote introductory and preparatory action, the aorist conclusive action. — *μετόκουν*, see *General Note*, 9. — *άς εἰεν*, G., 68, 2. —

χρηματίζεσθαι was no part of the πρόφασις just mentioned, but the result of it, and might well have taken *ā* as the apodosis of a condition here suppressed. See, however, L. & S. *Lex.*, πρόφασις. — πένεσθαι, the natural consequence of the long and exhausting war. — χρημάτων, for the maintenance of the Lacedæmonian garrison, and other retainers.

7. — ἀποκτιννόναι μάν... ἡγούντο, λαμβάνεν δὲ... ἀποιοῦντο. Notice the balance of the antithetical sentence in its two equal clauses, a good case of the rhetorical figure *isocolon*. See remarks on Lysias's style in the *Biographical Introduction*. Compare also with ἡγούντο... ἀποιοῦντο, ἀπειπεῖν... ἐπιλιπεῖν, § 1, and *Note*. The orator here throws out, in the form of a comment on his preceding remark, the very proposition which he was expecting by and by to prove; but he knew that many of his hearers were ready to accept it in advance of proof. — περὶ οὐδενός... περὶ πολλοῦ, H., 650, d. — Σάκα. Xenophon, as above quoted, says, § 21: ἔδοξε... τῶν μετοικων ἔνα ξεαστον λαβεῖν. This would make thirty arrests. Lysias probably states the fact more correctly. — οἱ... πέπρακται... γεγένηται, all forms of direct discourse. What would the indirect forms be? G., 74, 1. — ἀπεπειποῦνται... πεποιηκότες, G., 109, N. 9. Instead of πεποιηκότες, in agreement with the preceding αἴροις, the nominative is used (*constructio ad sensum*) as if οὐα πιολογίας ἔχωσι had preceded. See *Buttmann's Gr.*, § 144, N. 5.

8. — τὰς οἰκίας, H., 527, a, "the houses" of the proscribed. — ἀβάδιξον, compare the tense with the following κατέλαβον, and see *Note* in § 6 on θλεγον, etc. To enter and search a private house without a warrant (given by decree of the people) was regarded at Athens just as it is in our own country. See § 30, and compare Demosthenes's *De Corona*, § 132: κεκραγώς, ὡς ἐν δημοκρατίᾳ δενὰ ποιῶ τοὺς ἡτυχηκότας τῶν πολιτῶν ὑθρίζων καὶ ἐπ' οἰκίας βαδίζων δενού ψηφίσματος. — ἔργαστήριον, the shield-manufactory of Lysias and his brother. — ἀπεγράφοντο, "took a list." This was the legal term to denote taking the inventory of property to which the state laid claim. H. 689. For distinction between active and middle, see L. & S. *Lex.* — τρέπων, notice the descriptive imperfect here, and in ἔφασκεν below. — εἰ βούλοιτο, G., 70, 2, p. 151, examples, and 71, N. 1: the direct question was βούλει; — χρήματα λαβέν, equivalent to our phrase, "for a consideration."

9. — τάλαντον, see *General Note*, 11. — οὐτε θεοὺς... νομίζει, not a common combination in classic Greek, but reminding us of the unjust judge in the parable, "who feared not God, neither regarded man." *Luke xviii. 2.* — ἐκ τῶν παρόντων, "under the circumstances."

10. — ὄμοσεν, G., 19, N. 4. The object clause is λαβών... σώσειν. — τὸ θωμάτιον, "my little room," a bedchamber, probably. — τὴν κιβωτὸν, "my chest," G., 141, N. 2. H., 527, d. — ἀνοίγωμι, G., 10, 2. — ὑπηρέτῶν, officers attending on him. For synonymous, see VII., § 16, *note*.

11. — *οὐχ δέσω*, supply *μένω*, “not merely as much as.” The cash portion of the seizure can be estimated from the table given in the *General Note*, 11. — *ἀγαπήσειν*, “would be glad.” — *σάσω*, *G.*, 50, 1, N. 1, and 74, 1.

12. — *ἐπιτυγχάνει*, *H.*, 511, h, for *ἐπιτυγχάνονται*. Melobius and Mnesithides were also members of the Thirty. — *βαθίζειν*, the optative may follow secondary tenses, *G.*, 70, 2, and the historic present, *ἐρωτῶσαι*, being used for the aorist, is in effect a secondary tense. — *τάδελφον*, for the *crasis*, see *G.*, 11, 1, (b), *H.*, 68, R. c: for the genitive, limiting an omitted word, *G.*, 141, N. 4. *H.*, 509, β. — *σκέψηται*, *G.*, 44, 2, and N. 1.

13. — *ὅς ήξεν*, *G.*, 277, 3, and N. 2: translate, “as he would come.” — *κινδυνεύειν*, “to make a venture.” — *τοῦ γε ἀποθανεῖν*, *G.*, 262, 2. *H.*, 781.

14. — *τάδε*, *H.*, 679. — *τίκε*, *G.*, 200, N. 3. *H.*, 698. — *εἰς τὴν σὴν οἰκίαν*, and, accordingly, under your protection, so far as you can give it. — *ἀπόλλυμα*, *G.*, 10, N. 7. These short, pithy sentences, coupled with the hasty δὲ, picturesquely represent the urgency of the critical situation. — *παράσχειν*; the second aor. mid. imperative is perispomenon, when simple. *H.*, 367, a. But “the compound imperatives follow the general rule.” *Buttmann's Gr.*, p. 160. — *ταῦτα*, see note on *τάδε* above. The plural embraces everything that might be included in the single request. — *μητσῆται*, supply *περὶ ἔμω*.

15. — *ἰμπαρος γάρ*; γάρ = “inasmuch as.” — *οἰκίας*, *H.*, 584, c. For the (conjectural) plan of a Greek house, see Smith's *Dict. Antiq. art. Domus*, p. 426. — *ἀμφίθυρος*, here with special reference to the rear or garden door. — *σωθίσομαι*, quoted and explained, *G.*, p. 162. — *τρούμην*; as the sentence becomes prolonged and complicated by the introduction of a second hypothesis, the construction introduced with *ἐθνυμουμένω* is changed by putting in the finite verb for the sake of perspicuity. — μέν, εἰ; transposed by Rauchenstein on logical grounds. — *εἴη πεπασμένος*, *G.*, 18, 1, and Note. — *ὅμοιως*, “all the same,” i. e. as if I made no effort to escape.

16. — *ἴθηγον*, “I took to flight,” *H.*, 702. — *τῇ αὐλαὶ θύρᾳ*, the street door, strictly, “the court door,” because giving access to the *αὐλὴ* or inner court. — *τριῶν δὲ θυρῶν οὐσῶν*, “although there were three doors,” viz. (1) the door leading back from the men's part of the house (*ἀνδρωνίτης*) to the women's part (*γυναικωνίτης*). This door was called *μέσανθος θύρα*, as between the two courts or *αὐλαῖ*; (2) the door leading from the rear of the house into the garden (*κήπος*), and called *κηπαῖα θύρα*; (3) a door or gate leading from the garden into a street. — *Ἀρχένεω*, derived from *ἀρχω* and *νεῖς*, an appropriate name for a “ship-master.” — *εἰς δοτύ*, for Archeneus lived in Piraeus. — *ἀπαγάγοι*, *G.*, 21, 2, (a).

17. — *Μέγαράδε*, *G.*, 61. *H.*, 203. Megara was about 24 miles, according to Procopius, west of Athens. Modern travellers reckon it eight hours.

— ἐν' ἑκείνων may be construed with an implied παραγγελλεσθαι to be supplied with εἰθισμένον: translate, “sent to Polemarchus the order customarily issued by them.” — πίνειν, H., 766. — πρὶν εἴπειν, G., 106, 2. πρὶν and πρότερον, like our *before*, do not necessarily imply the realization of the following idea. — δι' ηγετα. The indefiniteness of the relative transfers itself to the antecedent, though this is specialized by the article; translate, “before informing him of any cause for which he was going to die”; literally, “the cause for whichsoever.” — πολλοῖς θέσησε, H., 575, a.

18. — ἀπεφέρετο, compare the imperfect with the aorist εἰσασαν. — ἡμῖν, G., 184, 4. H., 598. — μισθωτάμενοι προθέντο, both causative, H., 689, b. The body was customarily laid out (*προτίθημι*) on a bed, after having been washed, anointed with perfumed oil, crowned with flowers, and arrayed in as handsome a robe, usually white, as the family could afford. A pillow (*προσκεφάλαιον*) supported the head and back. On the day after the πρόθεσις, early in the morning, before sunrise, the corpse was carried out (*ἐκφέρω*) for the last rites, and either interred or burned. See further Smith’s *Dict. Antiq.* art. *Funus*. — έτυχεν, supply ἔχων.

19. — φόντο κτήσασθαι, G., 23, 2, N. 3. οἷομαι here, as occasionally elsewhere = ἔλπιζω. — εἴκοσι καὶ ἑκατόν, G., 77, 2, N. 2. H., 256. — θλαψον... ἀπέβοσαν, G., 19, N. 4. — εἰς τοσαντην... ἀφίκοντο; after this we should have the *result* expressed, as usual, by ὅστε, but for the interposition of the comment καὶ... ἐποιήσαντο, which requires a change of construction. — δτε τὸ πρῶτον, “as soon as.”

The orator now briefly *comments upon his narrative* to bring out the full atrocity of the facts: (1) as contrasted with the meritorious character of the sufferers, § 20; (2) as repeated in numerous similar outrages, § 21; (3) and as followed by a shameless lack of compunction on the part of the criminals, § 22; who, however, can show nothing to disprove the charge of wanton lawlessness, § 23.

20. — θλοι, G., 171. H., 574, c. — ὅσπερ οἴδε' ἀν, G., 42, 3, N. 2. — ἀδικημάτων, H., 566. — πάσας, Rauchenstein adds μέν. — χορηγίας, Lysias was a μέτοικος, and the principal liturgy (see *General Notes*, 5 & 7) mentioned as performed by such was the choregia at the Lenaea. — εἰσφοράς, see *General Note*, 8. — λυσαρμένους, the active voice means to release *on receipt* of ransom; the middle (causative, H., 689, b), to make one do this, i. e. to release *by payment* of ransom. This was accounted a meritorious act of humanity, or φιλαθρωτία. — οὐχ δύοις, i. e. quite differently, an instance of the rhetorical figure *litoles*, or the assertion of a fact by the denial of the contrary. — έποιησεντο, H., 690, a.

21. — ἀτάφοις; as it was supposed that the departed spirit was not at rest till the body had been buried, the neglect of the rites of burial was considered a great inhumanity. — ἀτίμους [τῆς πόλεως], G., 180, 2, N. 1.

H., 584, b, fine print. See *General Note* to Or. XXV. 8, *Atimia*. — θυγατέρας; wealthy citizens not infrequently gave marriage portions to poor maidens. *Lysias*, XIX., § 59: ἐτι τοινν καὶ ἕδη τιστ τῶν πολιτῶν ἀποροῦσι συνεξέδωκε θυγατέρας καὶ ἀδελφάς. The spoliations and executions of the Thirty had prevented many from portioning their own daughters, or those of neighbors.

22. — ἐγώ δ', emphatic. — οἱουλόμην διν, G., 226, 2, and examples, H., 752. But διν might be omitted, G., 49, 2, Note 3, (c). — οὐκ ἀλάχιστον, a *litoles*, H., 665, a; see *note* on οὐχ δυοῖς, § 20.

23. — τοιαῦτα, translate: “but now neither as regards the city nor me can they show such things as they allege”; literally, “such things do not exist for them.”

24. — The facts, as now narrated and commented on, the orator proceeds to *establish* by an interrogation of the defendant, § 25, who was obliged to take the stand and answer. See *General Note*, XVI. 8. — ἀναβιβασμένος... ἀρέσθαι, translate, “I wish to put him on the stand, and question him.” — ἀστέρες, “sinful,” as intercourse with a polluted person. — εἴναι, more emphatic than διν εἴναι. — πρὸς αὐτὸν τοῦτον, supply διαλέγεσθαι. — δοτον καὶ εὐσεβές; “a sacred and pious thing”: δοτος, says *Trench*, denotes fidelity to the eternal sanctities. εὐσεβής denotes piety, both towards God and in the fulfilment of human relations. — ἀνάβησθαι, “step up.” — ἀπόκριναι; distinguish different forms of this word by different accents, H., 367, R. e. — ἀρωτῶ, G., 61, 3. As distinguished from its synonyme *alréw*, used in § 18, ἀρωτῶ means to ask a *question*, while *alréw* means to make a *request*.

25. — Απῆγαγες, contrast with the tense of the answer, ἐπολον. See also XXV., § 15, ἀπαθεῖσ, and *note*. — ή οὐ, G., 29, N. H., 104, a. — Ινα ἀποθάνωμεν: in deciding what verb is to be supplied before Ινα, observe that Ελέγεις Ινα is not Attic Greek (G., 45, N. 5, δ), but ἀντέλεγεις as a verb of striving may govern a final clause, as in § 26. As Eratosthenes was claiming to have opposed the death of Polemarchus, and yet had arrested him, Lysias touches his inconsistency with the satirical question, whether it was their not dying or their dying that he had opposed. — Ηγούμενος, G., 109, 4, agrees with the subject of the implied ἀντέλεγεις.

From this examination the orator now keenly draws *proof of his charge*, §§ 26–36, showing, (1) the defendant's claim as the advocate of lenity is confuted by his conduct in making the arrest, § 26. (2) His allegation of constraint is not only false, but improbable, § 27. (3) It is absurd to let the members of a ring like the Thirty excuse themselves at each other's expense, § 28. (4) This would leave no responsibility anywhere, § 29. (5) The defendant's animus is clear from the fact of the arrest on the street, an unnecessary act of tyranny, § 30. (6) Especially since it was not the act of an inferior, but of a superior, who could have avoided the act had

he chosen, § 31. (7) Who in this case could easily have saved the victim by timely information, § 32. (8) Whose acts must therefore weigh more with the jury than his unsupported assertion, § 33. (9) The argument on the evidence concludes with a repeated attack on the defendant's veracity, § 34. And (10) the orator puts this part of the case to the jury with a reminder of the importance of their verdict as a precedent, § 35, and with an appeal to a previous decision in which righteous public indignation had prevailed, § 36.

26. — *Εἰν*, "then," indignantly. — *συνελάμβανε*, the imperfect, on account of the preceding *διτέλεγε*, instead of the momentary *συνέλαβε*, because the orator, to mark more strongly the inconsistency of the two actions, represents them as cotemporaneous, H., 701. — *ἀντιλάγειν φήσ*, G., 15, 3; the infinitive contains the prominent idea. Notice the inverted order in which the contrasted verbs *διτέλεγεν* and *διτέλγαγε* are made to stand in their respective clauses for emphasis.

27. — *τοῦτο* is in apposition with the clause *ως αὐτῷ προσετάχθη*. — *Σή που*, "I imagine," H., 852, 5. — *ἐν τοῖς μετοίκους*, "in the case of meteci." — *ἀναμένων*, the imperfect is here used to deny a past intention, G., 11, N. 4. H., 702. — *τῷ = τίνι*. — *δοτει*, "one who." — *οἰς*, G., 153, with Notes 1 and 2. H., 808, 2, and 810 with R. a.

28. — *ἀν...ἀναφέρωσι*, *ἄν*, not *ἄν*, G., 50, 1. — *πῶς...ἀποδέχεσθαι*, G., 50, 1, R. 1. — *ὑμᾶς εἰκός* (transposed by Rauchenstein), emphasizes *ὑμᾶς*.

29. — *ατρήσ*, "than it," a *constructio ad sensum*, as though the *government* of the Thirty had been already mentioned. — *οφ' ἣς*, referring to the *ἀρχή ισχυροτέρα*. — *παρὰ τοῦ = παρὰ τίνος*. — *καὶ ληφθεσθε*; *καὶ* in such connections, says Arnold, may be translated by "at all," or "possibly." — *εἰπεις ἔσται*, G., 49, 1, N. 3.

30. — *καὶ μὲν Σή*; H., 851, a. *Σή* calls attention to the important fact mentioned in § 16, that Polemarchus was arrested on the street: translate, "and you will observe, that," etc. — *κατὰ τὰ τούτους*, so Cobet, with others, reads for *καὶ τὰ τ.*, in order to avoid a *zeugma* in *σώζειν*, which (using *καὶ*) would have to be understood differently with its two accusatives. — *τούτους*, G., 188, 3. H., 800. — *παρόν*, G., 278, 2. H., 792, a. — *πάσιν...δοτοι*; *δοτοι* rather than *οἰς* is the proper relative after *πάντες*. Reference is here made to those citizens whom the Thirty compelled to aid in illegal acts: see *Introd.* Socrates alone had dared to brave the wrath of the Thirty by refusing compliance with such requisitions. — *δρυγίσθε*; Francken considers *ωργίσθε* preferable.

31. — *κατοι*, see XVI., § 5 and *note*. — *διὰ τὴν ἑαυτῶν σωτηρίαν*, "in order to save themselves." — *κίνδυνος...γενέσθαι*, translate: "It would have been dangerous for them, if sent, not to go, and, if they had found their man, to deny it." *ἥν* for *Δν* *ἥν*, G., 49, 2, N. 3, (a). *μὴ ἐλθεῖν*,

H., 837. — **ἴξαντος**, predicate after **γενέσθαι**, in agreement with **καταλαβούσιν**. See **λέγοντι**, § 1, and *note*. “When the omitted subject of the infinitive stands with the preceding verb only as an immediate or remote object, the adjuncts connected with the infinitive must in like manner stand in that oblique case in which their subject thus stands as object.” *Buttmann's Gr.*, § 142, 2, (b). — **ταῦτα**, “these assertions.” — **εἴχεν**, “would have had”; **αὐ** may be supplied — **βουλομένων**, *G.*, 109, 6.

32. — **χρῆν... γενέσθαι**, quoted and explained, *G.*, p. 100. — **γενέσθαι... συλλαμβάνειν**; observe the distinction between the present and the aorist of the infinitive, *G.*, 15, 1, R., and 23, 1. — **γιγνομένων**, distinguish from **γενομένων**.

33. — **τούσδε**, the court. — **τὴν ψῆφον**, see *General Note*, 3, *Dicast.* — **& ἵσσαι γεγενημένα**, construed as object of **λαμβάνοντας**. — **λεγομένων**, i. e. in the conclave of the Thirty. — **τεκμήρια**, as a second accusative after the relative clause. — **ταρεῖναι**, another odious feature of the government of the Thirty; under the democracy publicity was characteristic of all official proceedings. — **ταρ' αὐτοῖς**, “by ourselves,” or, “at home”; a grim play upon words suggested by the preceding **ταρεῖναι**. For the pronoun, *G.*, 146, N. 2. H., 672, a. — **πάντα τὰ κακά**, “all the evils,” i. e. under which the city has suffered. Compare with **πάντα κακά**, § 57, “all evils,” absolutely so. — **πάντα τάγαθά**, “all the good things,” i. e. that they allege.

34. — **τοῦτο**, i. e. **ἀντειπεῖν σε**. — **συνειπών**, *G.*, 226. H., 751. Notice the inverted arrangement, which here brings together the antithetical words **συνειπών** and **ἀντειπεῖν**, and compare *note* on **ἀντιλέγειν**, § 26. — **φίρε**, interjectional, *G.*, 84, N. 1. — **τι ἀντί**, *G.*, 42, N. 2. Rauchenstein takes the point of the following appeal to be, that even if the brothers or sons of Eratosthenes were on the jury, they could not acquit him, so compromised is he by his own admissions. Others, as Francken, less correctly, it seems, refer **αὐτοῦ** to Polemarchus. The imperfects **ἐτυγχάνετε** and **ἀπεψυχίσθε**, referring to present time, are to be preferred, with Kayser, to the aorists of the common text. See *G.*, 49, 2. With **ἀπεψυχίσθε** supply **ἀντί**, from **τι ἀντί**, above. What is its protasis? — **ἄδικος συλλαβεῖν**, the orator strains a point here, as Eratosthenes evidently referred the **ἄδικα**, § 25, only to the decree of death.

35. — **καὶ μὲν δῆ**, see the same in § 30, and *note*. — **ἀπίστων**, *G.*, 200. N. 3. H., 699, a. — **ἴκαμάρτωσιν**, *G.*, 20, N. 1, last part, and 61, 3. H., 760, a. — **ἀντί ἔφεμα**, *G.*, 171, 2. H., 576. *Crosby, Gr.*, 373, 2, remarks on “the ease with which verbs of motion pass into those of simple effort and desire. Thus **τεμαί**, and, more commonly, **ἔφεμα**, to send one's self to, to rush to, to strive for, to seek, to desire.” — **ἔμεν**, *G.*, 186. H., 603. A powerful argument for punishing traitors, if their impunity involves the dilemma, that they must either be tyrants over the loyal, or partners in

privilege with them. — εἰ... ἀφῆσουσιν, *G.*, 50, 1, N. 1. — ἡ προῦ, the enclitic προῦ is used, says Arnold, “when anything is assumed in a half-questioning way, that the speaker may build something on the *assent* of the person appealed to.” It answers to our *I imagine*, or *I suppose*. — κηδομένους, a conjectural reading of Rauchenstein. Frohberger reads τιμωρούντας; Cobet, τιμωρουμένους.

36. — οὐκ εὖν δενόν, supply δν ἦν, *G.*, 49, 2, N. 2. — ναυμαχοῦντες, off the Arginusæ islands, about fourteen miles southeast of Mytilene in Lesbos, B. C. 406. In this, the greatest naval battle of the war, the Lacedæmonians lost seventy-seven vessels, or more than half their fleet. — τοὺς ἐκ τῆς θαλάσσης, about a thousand men, according to Grote, were left to perish on the twenty-five Athenian vessels that were disabled in the action. — θανάτῳ ἐξημάσατε, six were thus dealt with. Grote’s opinion upon the whole case is, that the generals were guilty of inhuman neglect, but that the overruling of constitutional provisions, in order to force through the assembly the decree of condemnation, was as discreditable to the Athenians as it was exceptional in their history. See Grote’s *History*, VIII. 185–190, 205, 208–210. Curtius says, that if any one was to blame for the death of the wrecked, Theramenes was the guilty man; yet he took advantage of the opportunity for his party purposes, to requite the kindness shown him by the generals, in abstaining from blaming him in their despatches, by coming forward as their accuser. *Hist.*, III. p. 539. It was a difficult and delicate task for Lysias to turn an unconstitutional act to account as a precedent, but he does it skilfully. Siding so far with that class of his hearers who had justified the generals as to adopt their principal argument, ἐνίκων ναυμαχοῦντες, and then propitiating the other party by the phrase χρήναι... λαβεῖν, which veils the irregularity of their proceeding, he seems to press the argument from consistency fairly enough: “Would it not be strange to have executed victorious commanders, and not these traitors?” — θανάτῳ, *G.*, 188. H., 607. — ἀρετῇ, H., 611. — ιδιώται, acting as members of the oligarchical clubs. — ἐποιησαν τραπέζην, *G.*, 260. H., 764, b. Grote says of the disaster of Egospotami, “It was the general belief afterwards, not merely at Athens, but seemingly in other parts of Greece also, that the Athenian fleet was sold to perdition by the treason of some of its own commanders. . . . Indeed, we may add that the utter impotence and inertness of the numerous Athenian fleet during the whole summer of 405 B. C. conspire to suggest a similar explanation.” (*Hist.*, VIII. 220, 221.) “Athens,” says Curtius, “fell by her own hand. . . . Party intrigues delivered into the hands of the foe the last fleet of the city, and in the end the city herself. The victory which terminated the war was a victory of treason.” (*Hist.*, III. 581.) — κατέστητον, see the same, § 5, *note*. — Ικόντες attracted into the nominative, since the omitted subject of ἀπο-

κτυνίας is the same as that of δημολογούντων. For the tense of the infinitive, compare *ἀντιλέγειν φήσι*, § 26, and see *G.*, 15, 3. — οὐκ ἄρα χρή; for greater energy this fresh interrogative breaks up the hypothetical interrogative construction, which would normally end, *ἀδρός καὶ τοὺς παῖδας ταῖς ἐσχάταις ἡγεῖται οὐ* (not μή, *H.*, 842) *κολάσετε*; οὐ κολάσετε = *ἀνοψηφίσεσθε*. *H.*, 886. In the sequel, however, “the sons, even of such among the Thirty as did not return, were allowed to remain at Athens, and enjoy their rights of citizens unmolested; a moderation rare in Grecian political warfare.” (*Grote, Hist.*, VIII. 294.)

37. — Here begins the second and larger part of the oration. The orator passes (observe the transition from *τῷ φεύγοντι* to *τῷ πατέρῳ*) from the *specific accusation of murder* to a *general arraignment* of Eratosthenes as responsible for the sum of outrages perpetrated by the ring of usurpers to which he belonged. See Analysis.

The course of thought from this point to § 62 is as follows: The accusation now preferred expresses but a fraction of the defendant's guilt, as the associate *ταυότων ἀνδρῶν*, § 37. Not even the usual subterfuge, the plea of past merits, can avail, § 38, culprits, whose guilt, as stated in §§ 39, 40, is so enormous, that to defend them argues equal guilt, § 41; for the recent outrages are but the conclusion of a long career of iniquity, § 42. To substantiate this assertion, the orator goes into a review of the political career of the defendant, and brings out its salient points to exhibit him as from first to last an enemy of the democratical constitution and of the interests of his country, viz. (1) as an agent of the first revolution in the time of the Four Hundred, § 42; (2) as a member of the usurping directory of the Five Ephors, §§ 43-47; (3) as one of the Thirty Tyrants, §§ 48-53; (4) as a supporter of the Ten, §§ 54-61.

ἡξέουν, “used to think” (and still think). — μέχρι γὰρ τούτου, “(only) so far.” — θανάτου, observe the emphatic position. — τῷ φεύγοντι construe with *εἰργάσθαι*. — ταύτην, see *ταύτην* and *note*, XXV., § 13. — δίκτην δοῦναται δύνανται’ ἀν, observe the alliteration.

38. — οὐ...προσήκει, = “for, observe, he has a right to do not even this.” The criticism, *ὅπερ...έστιν*, has a satirical point. See XVI., § 9. — λέγοντες...ἔξαπατώσιν, by anacoluthon for λέγοντας ἔξαπατάν, in order to assert the fact more positively than by the infinitive.

39. — ἐπει, used elliptically = “since [if they have such a record] bid him,” etc. ἐπει thus used = γάρ. — ἀποδεῖξαι, see *note* on *ἀπόκριναι*, § 24. — ἀπέκτεναν, 1,500, it was said, and without trial. — παρέδοσαν, the whole navy except twelve ships, which Lysander conceded the Athenians as an act of grace. — οἷαν τὴν ὑμετέραν, a brachylogy (*H.*, 881) for οἷα ἡ ὑμετέρα, *η*, *H.*, 816.

40. — ἀλλὰ γάρ, elliptical = “but [how would such questions confound

him !] for," H., 870, a and d. The construction with *η* could have continued as in § 39, but the orator is kindled by these hateful reminiscences, and breaks into a more vehement style. — *πολεμίων*, G., 174. H., 580, a. — *διφελοντο*; for an account of the manœuvre by which the Thirty disarmed the citizens, except their own adherents, see Xen. *Hell.*, II. 3, 18–20, Godwin's *Gr. Reader*, p. 67, and Grote, *Hist.*, VIII. 247. — *οἰα...κατέσκαψαν*, brachylogy for *οἰα...τείχη ἤν, ή κατέσκαψαν*; Rauchenstein and Cobet read *οἰα τὰ τῆς*; the Long Walls demolished after the capture of Athens extended southwest from Athens to Piræus. They were designed to secure the maritime power of Athens by giving free communication at all times with her harbors. They were forty stadia (about four and three fifths miles) in length, and some twelve or more feet thick. The space between them, five hundred and fifty feet in width, was occupied by houses on both sides of a carriage road. The northernmost wall was built B. C. 457 and 456; the other at a subsequent period prior to 431. The wall of Piræus was built, prior to 471, under Themistocles. It was sixty stadia in circumference (about six and nine tenths miles), thirty feet in height, and sixteen feet thick, all of squared stones crammed with metal. — *οῖνις*, "men who," H., 681, b. See *δοτίς*, XXV., § 17, and *note*. — *φρούρια*, fortified places, like Ænœ, northwest, Decelea, northeast, and Sunium, southeast of the city, are probably referred to. — *οἰδὲ...Δακεδαμοίων*, see § 70. — *περιέλον*, distinguish the idea of time in this tense from that in *ἐνόμιζον*.

41. — *πολλάκις οὖν θεάμαστα*, G., 30, 1, N. 1. — *τόλμης*, G., 173. H., 577. — *αὐτῷ*, according to Francken's conjecture, instead of *αὐτῶν*, as the following section refers specially to Eratosthenes. — *πλήν*, H., 626, R. r. — *ἐνθυμηθώ*, G., 62, and Rem., with 20, N. 1. — *πάντα τὰ κακά*, "all the evils" (that have been done); see *note* on the same, § 33.

42. — *ἐν τῶν τερπακοσίων*: in the year 411, while a large Athenian armament was assembled at Samos, which had become the headquarters of the fleet, and the base of operations for the remainder of the war, the machinations of Pisander and others of the officers, at the instance of Alcibiades, effected a brief revolution in Athens, by which the democratical constitution was subverted, a century after its institution by Clisthenes, and an oligarchy was set up. This "temporary calamity, which so nearly brought Athens to absolute ruin, called the Oligarchy of Four Hundred," lasted from February or March to July, 411. Says Grote: "It was only by a sort of miracle—or rather by the incredible backwardness and stupidity of her foreign enemies—that Athens escaped alive from this nefarious aggression of her own ablest and wealthiest citizens." See *Hist.*, VIII. 7–83. — *καθιστάς*, G., 10, N. 2. Cotemporaneously, it would seem, with the oligarchical machinations at Samos and Athens, Eratosthenes and

others, while on service at the Hellespont, had endeavored to gain their squadron to the service of the revolutionary party, but, not succeeding, had been obliged to flee. — *τριταρχος*, see *General Note*, 6. Rauchenstein takes the words *τριταρχος...ναῦν* as an imputation of unlawful conduct. Perhaps rather the orator intimates how thoroughly even then Eratosthenes was repudiated, not only by the fleet, but even by his own crew. Here the full force of the *οὐ γὰρ νῦν πρώτον* appears. After Eratosthenes's part in that notorious conspiracy of eight years before, those who now speak *ὑπέρ αὐτοῦ*, § 41, cannot be excused as ignorant of his real character, but are as bad as he. — *οὐδέν*, G., 160, 2. H., 848, a.

43. — *παρήσω*; assuming it to be of a piece with things before and after. — *ἡ ναυμαχία*; the affair of Egospotami was not so much of a battle as a surprise, the crews of nearly the whole fleet being ashore and dispersed. — *θεοί...ἥρξαν*, explanatory of the clause *πέτρε...έταιρων*. — *ἴφοροι*, see *Introd.* — *κατέστησαν ἵπτο*: “Many verbs of the active form in which the idea of *suffering, being affected*, is predominant, may be construed wholly like passives, i. e. with *ἵπτο* and the genitive. They then serve to supply the place of less usual passives.” *Buttmann's Gr.*, § 134, 2. — *έταιροι*, these *έταιροι* were members of *έταιραι*, or clubs. These clubs, organized for party purposes, had kept alive the faction which had won a brief triumph in the ascendency of the Four Hundred, watching for the opportunity of another revolution. — *συναγωγεῖς*; in this capacity they would hold meetings of the citizens and address them in favor of an oligarchical constitution. — *Κριτίας*: it was a hard blow at Eratosthenes merely to couple with his a name so hateful to most Athenians as that of Critias. “*Noscitur a sociis.*” This man, well-born and rich, a pupil of Socrates, and possessed of some literary culture, as well as decided political ability, was cursed with “not merely an unmeasured and unprincipled lust of power, but also a rancorous impulse toward spoliation and bloodshed, which outran even his ambition, and ultimately ruined both his party and himself.” *Grote, Hist.*, VIII. 234. Curtius characterizes him as “a literary pretender, whom all his culture served morally to deteriorate,” and “a criminal, who at last shrank from no act however vile and base.” *Hist.*, III. p. 575.

44. — *φυλάρχοις*; these regularly commanded the cavalry. The cavalry, as a class, comprised the wealthiest men at Athens, and remained, as a class, staunch adherents of the Thirty through thick and thin. See XVI., § 6, with *Introd.*, and *General Note*, 1. — *παρήγγελοι*, i. e. to their various partisans. The aorist *κατέστησαν* denotes a single act, the imperfect *παρήγγελλον* a repeated act. Is this *κατέστησαν* the first, or the second aorist? — *ψηφίεσθε...ἴστεθε*, G., 45 and Rem. — *πολλῶν*, supply *ἀγαθῶν*.

45. — *τοῦτο...ἥποταντο*, “for of this they were especially aware.” — *ἴσονται*, compare *δεήσει* and *note*, XVI., § 15. — *πραττόντων*, supply *ὑμῶν*,

G., 110, N. 2. H., 791, a. — **κακῶν**, construe with **ἀπαλλαγῆται** — **ἐνθυμήσεσθαι**, G., 27, N. 1.

46. — **ἐφόρων**, H., 572. Compare **τῆς πρότης**, and *Note*, XVI., § 15. — **Ἐραστούντους δικούσαντας**, not, “who heard E.,” but “who heard [it] from E.” G., 171, 2, N. 1. H., 576, a.

47. — Observe the repeated imperfect in this section, G., 49, 2. R. (a), (b). — **αὐτῶν**, i. e. their leaders. — **ἐκδλαγον**, G., 200, N. 2. H., 702. — **δρκούς**, whence they were called **συνωμάται**, § 43. — **εἰ διωφρόνον**, repeated with a purpose. — **ἐντι** here denotes the condition, H., 640, c. **ἐπὶ...κακοῖς**, = “to the disadvantage of.” — **πιστούς**, “binding.” — **παρέβανον**; the thrice-repeated *dv* ia, of course, implied here. — **τοσαῦτα**, “thus much,” nearly equivalent, in such connections, to “no more.” — **καλέ**, speaking to an officer of the court.

48. — **δρχήν**, i. e. that of the Thirty. — **δγαθοῦ**, neuter gender, G., 170, 2. H., 574, a. — **ἐχρῆν** [δν], quoted and explained, G., p. 100. Compare note on **χρῆν**, § 32. Frohberger plausibly conjectures that this suspicious *dv* should be *aītrō*. — **βουλῆ**; on the subserviency of this packed senate, see *Introd.* — **μηνυτῆν**, satirically said, as informers were encouraged by the Thirty. — **εἰσαγγελῶν**, see *note* on **δικη**, XVI., § 12. — **εἰν...μηνύουσιν**; for the variation, see G., 247, N. 1. H., 734, b. — **Βάτραχος**, “Frog,” a fit name for such a wretch, whom Lysias, VI., § 45, styles **ὁ γοῦν πάντων πονηρότατος Βάτραχος πλὴν τοῦτον**. He came from Oreus in Eubœa. After the restoration of the constitution, he did not dare to reside in Athens under the amnesty, but emigrated.

49. — **καὶ μὲν δῆ**, see the same, § 30, and *note*. — **δσοι**; mark the distinction between this definite relative and the following indefinite **δπόσοι**, the same as in Latin between *quot* and *quotquot*. The change from the definite to the indefinite intimates that while it is quite clearly ascertained who were ill-disposed, it is very indefinitely known if any were well-minded. — **οδὲν θλαττον εἶχον**, a *litotes*, equivalent to “profited.” See *οὐχ θμολως*, § 20, and *note*. — **σιωπῶντες**, “if silent,” G., 277, 4. H., 789, e. — **Ἐτεροι**, “other members” [of the party]. *Buttmann, Gr.*, § 127, 10, remarks: “**Ἄλλος** without the article is the Lat. *alius, another*; **Ἐτερος** without the article has the same meaning with a stronger expression of *difference*,” etc. The orator’s idea is, the silent partners shared the profit of those outrages with the active partners, and must therefore share the guilt. — **ῶν**, governed by **μείζω**. The relative clause **ῶν...πόλει** stands in the relation of an accusative to the preceding participles, H., 810. — **οἴον τ’ ήν**, supply *dv*, G., 49, 2, N. 3, (a). What is the suppressed protasis? G., 52, 2. — **εἴνοι φασιν εἶναι**, “say that they were well disposed,” i. e. during those evil times. G., 203, N. 1.

50. — **δπως...φανήσεται**, touches the inconsistency of E.’s plea with the

claim *ἀντέλεγον* advanced in § 25. Supply *σκοπεῖτω*. *G.*, 45, N. 7. *H.*, 756, a. — *τοῖς λόγοις*, compare *οἱ λόγοι*, § 25. — *εἰ δὲ μή*, “otherwise,” i. e. but if he opposed them, as previously claimed. *G.*, 52, N. 2. *H.*, 754, b, *fine print*. — *ἐνταῦθος*, a more emphatic form of *ἐνταῦθα*, formed, says *Buttmann, Gr.*, § 116, 8, by adding to *ἐνταῦθα* the demonstrative *τ*, giving both *ἐνταῦθι* and the more common *ἐνταῦθοι*. — *δῆλος οὗτοι οἵτι*; a blending of two constructions, the impersonal *δῆλον οἵτι* with a clause (as in XVI., § 11) and the personal *δῆλος ὁ* (see XII., § 90) with a participle, as in *G.*, 113, N. 1. — *ἐναντιόμενος*, *G.*, 109, 7. The following sentence intimates that he sided with Theramenes as against Critias.

51. — *Ἄς διφότερα ταῦτα... παραστήσω*, “as I will prove in both of these respects.” — *καὶ* here = *atque*, “and I will also show,” etc. — *γυνομίνας*, *G.*, 16, 2. — *διπότεροι [μόνοι]*: if Reiske’s conjectural *μόνοι* be accepted, then the sense is, “which of the two parties — i. e. among the oligarchs — exclusively.”

52. — *καὶ γάρ*, *H.*, 870, d. — *κάλλιον [ἀν]* *ἡν*; there is no good reason for objecting to *ἀν*, though it is not necessary. See note on *κίνδυνος γάρ ἡν*, § 31. — *ἀνδρὶ δρχοντι*: “The Greeks often connect with those personal appellations which denote an occupation or character (as *herdsman, judge, etc.*) the words *ἀνὴρ* and *ἀνθρωπος* in the manner of adjectives, whenever those are to be taken as referring to personal individuals, and not as mere appellatives.” *Buttmann, Gr.*, § 123, N. 6. *ἀνὴρ δρχων* = a man that is a ruler; where we should say, simply, a ruler. Compare *Matthew xx. 1, ἀνθρώπῳ οἰκοδεσπότῃ*, A. V., “a man that is a householder.” — *Θρασυβόλλον*: this noble patriot, well named the “Bold Counsellor” (*θρασύς — βουλής*), pitted himself with a puny force against tyranny in the height of its power. To him was chiefly due, not merely the restoration of Athenian liberty, but its healthful working afterwards. Says Grote: “The feature which stands yet more eminent in his character — a feature infinitely rare in the Grecian character generally — is, that the energy of a successful leader was combined with complete absence both of vindictive antipathies for the past, and of overbearing ambition for himself.” *Hist.*, IX. 367. — *Φυλήν*, see *Introd.*; also XVI., § 4, and *note*. — *ἐπιδεξαθεῖ... εθνοιαν*: such good-will was shown to Thrasylus by those that were discontented with the government of the Thirty, that, in the few days which intervened between his occupation of Phyle and his seizure of Piræus, his force swelled, according to Xenophon, from seventy men to one thousand. — *τοὺς ἐπὶ Φυλῇ*: on account of the elevated position of Phyle, *ἐπί*, “on,” was regularly used with it, instead of *ἐν*, “in.” — *εἰς Σαλαμῖνα καὶ Ἐλευσῖνάδε*: in connection with the preceding word, *Ἐλευσῖνάδε* = *εἰς Ἐλευσῖνα*, gives a pleasing variation both of sound and form. Salamis, on the island of the same name, was situated nearly opposite and west of Piræus, from which it

was separated by the narrow strait where the Greeks, B. C. 480, with 366 vessels, won the famous victory over Xerxes' fleet of more than 1,000. The more ancient Salamis of the Telamonian Ajax was built at the southern end of the island. Eleusis, northwest of Athens on the road to the Isthmus, and a little more than half-way on the road from Athens to Megara (see note on *Μέγαρδε*, § 17), stood on a hill facing the broad bay of Eleusis, which, enclosed on three sides by the shores of Attica, was bounded on the south by the island Salamis opposite Eleusis. It was celebrated for the sanctuary of Demeter, and the Eleusinian mysteries celebrated annually in her honor. For an account of the trick by which the Eleusinians were seized, see Grote, *Hist.*, VIII. 266–268; Xen. *Hell.*, II. 4, 8–10; Goodwin's *Gr. Reader*, p. 77. Compare Lysias, XIII., § 44: *τοτε μὲν γὰρ τοὺς ἐκ Σαλαμίνος τῶν πολιτῶν κομισθέτας, οἷοι ἦσαν καὶ θότι, καὶ οὐκ δέθηροι ἦτορ τῶν τριάκοντα διπλῶντο. τοτε δὲ τοὺς ἐξ Ἐλευσίνος, ὡς πολλοὶ ταῦτα τῇ συμφορῇ ἔχρησαντο. — αὐτῶν...Θάνατον*, G., 173, 2, Note. H., 583, *fine print*. — *καταγγέλλοσθαι*: Critias was the master-spirit in this outrage, which is here charged solely on Eratosthenes. In the condemnation of these captives Critias had gone through the form of taking a vote of the Three Thousand (a body of citizens, whom, on the score of their supposed oligarchical sentiments, the Thirty had invested with the political franchise). See XXV., § 22. But where the Three Thousand were assembled to give their verdict, the Lacedæmonian garrison were at hand under arms, and any dissentient from the death-sentence, which Critias ordered to be given by open ballot in his presence, would have been put to death. The orator therefore, without alluding to the coerced participants in that crime, many of whom probably were among his hearers, justly treats the act of many as the crime of one.

53. — *τιλθομέν*: all that Lysias says of his own noble part in the war of liberation is comprised in this modest reference of the plural number. See *Introd.* — *οἱ ταραχαῖ*: with this euphemism the orator prudently veils two sharp encounters, the one a surprise of the camp of the Thirty between Phyle and Acharnæ, and the other the battle of Munychia, in which, together, Thrasybulus inflicted a loss of about two hundred slain. Some of the defeated party were doubtless members of the jury. — *οἱ λόγοι*: during the truce which was granted for burying the dead, says Xen. (*Hell.*, II. 4, 19) *προσιώντες διλήθλοις πολλοὶ διελέγοντο*. See especially the speech of the herald Cleocritus, *ib.* 20–23. Goodwin's *Gr. Reader*, p. 80. — *ἴστεσθαι*, “that we should be.” — *ἴσεξαμεν*, “showed,” i. e. by our acts in the sequel. — *αὐτοῖς*, i. e. the city party. It does not appear, however, that the force of Thrasybulus, which was quite indifferently armed, was able to do more than to repel the attack made upon them by the Thirty. But they abstained from stripping the slain of their clothing, in token of respect to their countrymen.

54. — *οἱ Στ*, i. e. the forces of the oligarchs. — **ἔξιβαλον** : the deposed tyrants retired to Eleusis. See *Introd.* — **ἄρχοντας...εἰλοντο**, namely, the Ten, “one from each phyle,” says Xenophon (*Hell.*, II. 4, 23). On this attempt at a middle way between tyranny and democracy, see Grote, *Hist.*, VIII. 272. — **μισεῖσθαι...φιλεῖσθαι**, see note on **ἀπειπεῖν...έπιληπεῖν**, § 1. What form of the finite verb does the infinitive here represent? *G.*, 41, 1. The protasis is involved in **δικαῖω**, i. e. *εἰ τὰ δίκαια ἔχοιεν*, “if they should get their deserts.” *G.*, 52, where see the last example quoted, p. 111.

55. — [**τὸν τριάκοντα γενόμενον**]: this is probably a mere gloss which has crept into the text, since Phidon has just been mentioned, § 54, as one of the Thirty. — **Δαμπτρέας**, of Lamptra; there were two Attic demes of this name. Upper Lamptra was at the southeast extremity of Mt. Hymettus, three or four miles from the sea, and Lower Lamptra on the coast. Of Epichares and Hippocles little or nothing is known. Grote (*Hist.*, VIII. 271) names Eratosthenes also as one of the Ten. If so, it is hard to see how Lysias could have omitted to make a point of it. Instead of that he limits himself to saying, § 58, that Phidon, as leader of the Ten, pursued the previous policy of Eratosthenes. As the Ten, according to Lysias, were appointed in the supposed interest of a conciliatory policy, and as Eratosthenes is not mentioned among them, the clear implication of Lysias's statements is, either that he was not regarded even by moderate oligarchs as eligible with such an object in view, or, rather, that he was altogether opposed to it. It is clear, however, that Eratosthenes remained in the city after the deposition of the Thirty; and the aim of this portion of the orator's argument is to represent him as a silent partner in the misgovernment of the Ten. — **Χαριλαῖ**, characterized by Grote as a “furious and unprincipled politician,” *Hist.*, VII. 198. — **αὐτοῖς**, an emphatic “*they.*” *G.*, 145. *H.*, 689, b. — **τοῖς δὲ δοτοῖς**, *G.*, 188, 5. *H.*, 604. — **ἐποίησαν**; distinguish from **ἐποίησαντο**, *H.*, 689.

56. — **οἱς**; Scheibe's reading; the common text is **οἱ**, for which Rauchenstein reads **ῳ**. — **ἐπεδεῖγαντο**, *H.*, 688. — **δοτασίασον**, at the time when they deposed the Thirty. — **οὐδέ...θάνοντον**: compare Xenophon's comment on the execution of the citizens of Salamis and Eleusis: *ἢ δὲ ταῦτα δρεστὰ καὶ τῶν πολιτῶν δοσοις τὸ πλεονεκτεῖν μόνον ἔμελεν.* *Hell.*, II. 4. 10.

57. — **τριάκοντα...εργασμένοις καὶ τῷν...πεπονθόσι**, an *isocolon*; compare note on **ἀποκτιννύναι...ἐποιῶντο**, § 7. — **πάντα κακά**, compare note on **πάντα τὰ κακά**, § 33. — **τρεῖς δικαῖω**, supply **ἔφεύγετε**. From the stand-point of either of the extreme parties, the middle course of the Ten appeared in this dilemma of inconsistency. — **ἴργων**, *H.*, 566. — **αἰτίαν λαβόντες**, distinguished from **αἰτίαν ἔχοντες** as **λαβεῖν** to “get,” or “incur,” from **ἔχειν**, “to have.”

58. — **αιρεθέσις**, *H.*, 694, c. — **διαλλάξαι**, *G.*, 97, N. 1. — **γνώμη**, *G.*, 188, 1.

H., 611. Lysias's attack on the policy pursued by Phidion had the double aim, first, of representing it as emanating from Eratosthenes, who had pretended to be overruled by his associates in office, and, second, of raising a prejudice against Phidion, in case he appeared, as was probable, in the capacity of an advocate of Eratosthenes, § 85. — τοὺς μὲν κρείττους αὐτῶν, i. e. the majority of the Thirty, then at Eleusis. — δι' ὧν; for the distinction between the genitive and the accusative after διά, see H., 629, c, 630, b. But the accusative is often used with very little apparent distinction from the usual sense of the genitive. Compare διὰ τούτων, § 92. — αὐτός, a constructio ad sensum, as if the antecedent were Δακεδαιμονίου. — Βοιωτῶν, see note on τῆς πρώτης, XVI., § 15. Occasion for this misrepresentation was given by the support which Thrasybulus derived from Thebes. — Εἴται; what would be the *indirect* form? — μάλιστα, emphatic position.

59. — οὐ δυνάμενος; οὐ, not μή, because the participle does not express a *condition*. So οὐ βουλομένων, below. G., 283, 4. H., 839. — καὶ = “also.” — ιερῶν ἀμποδάν; a notable instance of the tenacity with which the Spartans adhered to their superstitions in such matters was given by their six days' delay to help the Athenians at Marathon, B. C. 490, in the crisis of the fate of Greece. — καὶ = “even.” — ἐκαρδν τάλαντα; this loan, though contracted by an usurping government to destroy the liberties of the country, was afterwards repaid by the constitutional government. — θεατεστάτο, H., 689, b. — γῆραστο, observe the force of the middle, H., 689.

60. — πάντας, loosely said for πανταχόθεν. — πόλεις ἐπάγοντες, the Peloponnesian allies generally. The Boeotians and Corinthians, however, who had previously been intensely anti-Athenian in their policy, declined to co-operate, a remarkable proof, as Grote observes, of the altered feeling with which Athens and Sparta were beginning to be regarded in the other states of Greece. — τελευτῶντες, G., 109, N. 8. H., 788, a, *fine print*. — παρεπενάσσοντο, observe the imperfect as inclusive of the successive acts specified by the preceding tenses. — εἰ μὴ δι'; the complete expression would be, καὶ ἀπώλεσαν δι', εἰ μὴ δι' ἀνδρας ἀγαθούς ἐκαλέθησαν. G., 52, N. 1. H., 754, a, *fine print*. As to the danger of Athens at the time, and how it was averted, see *Introd.* By the ἀνδρας ἀγαθούς are meant such friends of Athens among the other Greeks as was the wealthy Theban Ismenias, who aided Thrasybulus's first movement. — λαβόντες, G., 109, 3. — καὶ ἐκέντοις, i. e. the ἀνδρες ἀγαθοί just mentioned. — χάριν ἀποδέδονται is to show gratitude by some requital, Latin *gratiam referre*, in distinction from χάριν εἰδέναι, or ξήσειν, to *feel* gratitude, Latin *gratiam habere*.

61. — δικαιοί δέ, supply παρέξομαι, H., 883: the witnesses of course were to testify to the acts of Phidion. — ὡς πλεῖστων, H., 664.

62. — φέρε Σί, see the same in § 34 and *note*. — Θηραμένους; on the gen-

eral relevancy of this portion of the argument, see *Introd.* It is to be specially noticed that Theramenes, in his reply before the senate to the impeachment of Critias, declared that he had opposed the seizure of the metoeci : *μητεῖκον δὲ καὶ δτε τῶν μετοκιῶν ἦν ἔκαστον λαβεῖν οὐφασαν χρῆναι*, Xen. *Hell.*, II. 3, 40. This lent some color to Eratosthenes's assertions, § 25, that he had been adverse to extreme measures, and rendered it more necessary for the orator to blacken Theramenes's record.

The analysis of §§ 62–80 is as follows : § 62, the orator shows the relevancy of his apparent digression. He is simply refuting Eratosthenes's claim to favor on the score of Theramenes ; § 63, he sneers at Eratosthenes's choice of a political guide, taking up with a Theramenes for lack of a Themistocles ; § 64, and shows the folly of allowing such malefactors to claim credit as benefactors. Then, § 65, he shows that Theramenes was a leader in setting up the oligarchy of the Four Hundred ; next, §§ 66, 67, a base turncoat ; more recently, §§ 68–70, the procurer by false pretences of disastrous terms of peace with Sparta ; finally, §§ 71–77, responsible for the establishment of the Thirty, and meeting at length, § 78, with deserved retribution. In §§ 79, 80, he concludes the digression with a fresh appeal, upon these facts, for a verdict against Eratosthenes and his partners.

Σαὶ βραχυτάτων, see δι' ἐλαχίστων, § 3, and *note*. — *προσστῆ*, “offend,” Sauppe's emendation of the common text, *παραστῆ*, “occur.” G., 254. H., 720, b. — *ταῦτα*, i. e. δτε...μετεῖχε...μετεῖχε, why not accented μετεῖχε? G., 26, N. 1. H., 368, b.

63. — *σφέδρ* ἀν...οίμαι, “I strongly think”; *ἀν* belongs to *προσποεῖσθαι*, G., 42, Note. — *πολιτεύμενον προσποεῖσθαι*, the participle is the protasis, the infinitive the apodosis ; G., 52, 1; 53. What forms of the finite verb do these respectively represent? — δπότε καλ, καλ here = “even.” — *ὅτες καθαιρεθῆσθαι*, G., 217. H., 756, dependent on *ἐπραττε* understood. — *οὐ γάρ*, said on account of the preceding *σφέδρα ἀν οίμαι*. The idea of the orator's irony is : of course Eratosthenes would have been much gladder to co-operate with Themistocles than with Theramenes, for Themistocles was a worthier citizen. — *Δακεδαιμονίων*; for an account of the stratagem by which Themistocles outwitted the Spartans, and thwarted their mean opposition to the restoration of the walls of Athens, after the expulsion of the Persians, see Grote, *Hist.*, V. 244; Curtius, *Hist.*, II. pp. 361, 362. The contrast which Lysias here draws between Themistocles and Theramenes had been already pointed out by the demagogue Cleomenes. According to Plutarch, *Lysander*, 14, Cleomenes asked Theramenes if he dared to undo the work of Themistocles by delivering to the Lacedæmonians the walls which that patriot had erected against them. To which Theramenes responded, that Themistocles had had the walls built for the preservation of the citizens, and it was for the same purpose that they were

now to be demolished. As Lysias viewed the matter, Themistocles erected the walls to secure the democracy, while Theramenes destroyed them to overthrow the democracy. The exhibition of such a contrast was adapted to arrest the reaction of feeling in favor of Theramenes which the manner of his death had occasioned.

64. — *εἰκός ἦν*, see the same in XVI., § 5, and *note*. — *ἄξιον μὲν γάρ*, an implied *ἦν* follows. — *πράττων*, *G.*, 16, 2. So *συνέτας*, below. — *ῶστερ*, *G.*, 277, N. 3. — *γεγενημένου*, the *ἔκεινον* which we supply here has been attracted into *ἔκεινφ* by *συνέτας*. *H.*, 791, a. The *balanced arrangement* of these genitives is noticeable as an elaborate bit of literary finish, *viz.* :—

ῶστερ πολλῶν ἀγαθῶν αἰτίου
ἀλλ οὐ μεγάλων κακῶν γεγενημένου.

65. — *ὅς*; *ὅτις* might have been used. See *οἵτινες*, § 40, and *note*. Compare, also, *οἱ* and *οἵτινες*, XXV., § 18, where, as Frohberger remarks, *οἱ* denotes the *individuals*, and *οἵτινες* their *class* or *kind*. — *διηγαρχίας*, i. e. of the Four Hundred. See *note* on *ἐπὶ τῶν τετρακοσίων*, § 42. — *αἰτιώτατος*; this seems exaggerated. Theramenes took an active part, but Alcibiades and Pisander seem to have been *αἰτιώτατοι*. It is quite clear that the revolution received the first effective impulse from a proposition of Alcibiades to the officers of the Athenian armament at Samos, engaging, on condition of the formation of an oligarchical government, to secure to Athens the Persian alliance. See Grote, *Hist.*, VIII. 6 *sqq.*; Curtius, *Hist.*, III. p. 450. Pisander was ostensibly the chief agent in the execution of the plan, and the soul of the movement at Athens was Antiphon, see § 67, and *note*. Critias, in impeaching Theramenes before the senate, merely says of his revolutionary zeal, *προπετέστατος ἐγένετο τὴν δημοκρατίαν μεταστήσαι εἰς τοὺς τετρακοσίους*, Xen. *Hell.*, II. 3, 30. — *δ μὲν πατήρ*; Hagnon, a citizen of high standing, adopted Theramenes, who was a native of Ceos. The position of his adoptive father secured to Theramenes a favorable entrance into political life. — *τῶν προβούλων*; a “Board of Elders,” called *πρόβούλοι*, or “Provisional Councillors,” consisting of ten of the older citizens, was appointed, upon the tidings of the defeat of the Sicilian expedition, B. C. 413, “to review the expenditure, to suggest all practicable economies, and propose for the future such measures as occasion might seem to require.” Grote, *Hist.*, VII. 362. These became promoters of the revolution in 411. By this appointment, as Curtius remarks, the democracy, which since the fall of the Areopagus had been free from all control, was again placed under the supervision of authority. For the case, compare *τῶν ἐφέρων*, § 46, and *note*. — *ταῦτης ἐπαρτεῖν*, compare the same expression in § 51, *ταῦτα πράξουσι*. — *τοῦ ἀβρῶν*, i. e. the Four Hundred.

66. — *ἴως μὲν ἐπιμάτο*, *G.*, 59; 66, 4, *Rem.* — *πιστόν*, i. e. to the oligar-

chical party. — **Πεῖσανδρον**, of Acharnæ, a man of much ability and courage, though this latter trait was disputed by his enemies. After the fall of the Four Hundred he was banished, and his property was confiscated. See VII., § 4. Callæschrus was the father of Critias. — **αὗτοι**, G., 175. H., 585. — **οὐκέτι...ἀκροάσθαι**; the Athenian armament at Samos, when they heard of the revolution at Athens, repudiated the authority of the Four Hundred. See Grote, *Hist.*, VIII. 46, *sqq.* Realizing that this presaged the overthrow of the revolutionists, Theramenes began to disconnect himself from his imperilled party. — **Ἀριστοκράτους**; in order to maintain themselves against the armament at Samos, the Four Hundred were reasonably plotting to receive a Lacedæmonian force into Piræus, and to accomplish this were constructing a citadel there. Suspecting that design, the tribe of which Aristocrates was taxiarch broke into a mutiny, which spread until, with the concurrence of Theramenes, who had been sent to suppress the mutiny, the obnoxious citadel was demolished. This affair proved a fatal blow to the ascendancy of the Four Hundred. Aristocrates was afterward one of the generals who were put to death for misconduct at the Arginusæ; see note on **θανάτῳ ἐξημισσατε**, § 36.

67. — **Ἀντιφόντα**: “Antiphon, the son of Sophilus, at that time already an advanced sexagenarian, but full of unwearying activity, political experience, and knowledge of human nature; inexhaustible in clever devices, trustworthy and reticent; in intellectual power and influence superior to all his fellow-citizens, and at the same time perfect master of himself.” Curtius, *Hist.*, III. p. 461. He “formed a school of oratory, which exercised a deeply felt influence on the development of Attic prose.” *Id.*, II. p. 569. This man undertook the chief directorship of the oligarchical movement in Athens during Pisander’s absence. By systematic assassination he silenced the popular leaders, extinguished freedom of debate, and so overawed the public mind, that, at length, the sanction of the senate and the assembly was extorted for measures which the majority detested. See Grote, *Hist.*, VIII. pp. 30–41. After the restoration of the democracy, Antiphon and Archeptolemus were impeached by Theramenes for their treasonable negotiations with Sparta, and suffered the doom of traitors. The fate of Antiphon, then sixty-nine years of age, was deserved; but this ratting of Theramenes gained him the nickname of **ὁ κόθορπος**, or *the Buskin*, fitting either foot equally well, and was used at length by Critias as a pretext for his destruction. Comp. Xen. *Hell.*, II. 3, 30–33; Goodwin’s *Gr. Reader*, pp. 69, 70. Curtius says of him that he was “a man of brilliant abilities, eloquent, intelligent, and versatile, endowed with noble natural gifts, but . . . wholly devoid of fixed principle, and was seriously attached neither to the one side nor the other,” but ambitious to play the first part himself. *Hist.*, III. pp. 461, 539. — **ἄμα...ἀπώλεσε**, for the isocolon, compare **ἀπ-**

κτισσίναι...έποιούντο, § 7. — *τὴν πρὸς τῷας*, supply *πίστιν*. — In balancing Theramenes's account with history, Curtius remarks: "As no less severe a judge than Aristotle reckons him among the best citizens whom Athens ever possessed, we may be sure that his merit consisted not merely in his having, more than any one else, contributed to frustrate the treasonable efforts of the party which was prepared to proceed to extremities, but principally, in his having, after the overthrow of that party, succeeded in preventing the outbreaks of passion which would have ruined the state," etc. *Hist.*, III. p. 486.

68. — An interval of six and a half years, from the deposition of the Four Hundred, in the summer of 411, to the siege of Athens in the winter of 405-4, occurred between the events mentioned in this section and those in the preceding. In this interval, the orator passes over without mention an instance of Theramenes's faithlessness as glaring as any, in his accusation of the generals who commanded at Arginusae for the criminal neglect of a duty which had been delegated to him. See Note on § 36. — *αὐτός*, "of his own accord." — *σώσειν*, *G.*, 27, N. 3. — *ιππότηρος* § 4, "for he promised." — *τὰ τείχη καθελῶν*: for the Lacedæmonians had intimated that the demolition of the Long Walls to the length of ten stadia would be insisted on in the terms of peace. — *ταῦτα*, an abbreviation for *ὅτις ταῦτα διαπραχθῆσοι*: plural, though the antecedent is singular, perhaps with reference to the particulars of his plan; see note on *ταῦτα*, § 14. — *αὐτῷ πιστεύειν*, emphatic, to trust him.

69. — *πραττούστης...σωτήρια*, "taking measures for safety." The particulars are not very definitely known; but see XXV., § 27, note on *διμυντε*. — *Ἄρειψι πάγῳ*, see *General Note*, 2. "It would appear that at this period, when revolutionary and conservative measures were indiscriminately applied, the Areopagus, which had only continued to exist as a court for capital cases, was also re-established as a state magistrature, and, as at the time of the Persian wars, invested with extraordinary powers for contributing its share to the preservation of the city." Curtius, *Hist.*, III. p. 584. — *ἀντιλεγόντων*: no wonder, in view of what Lysias asserts, XIII., § 10: *ὑμεῖς εἴλεσθε ἐκένον πρεσβευτὴν αὐτοκράτορα, δι τῷ προτέρῳ ἔτει στρατηγὸν χειροτονηθέντα ἀπεδοκιμάσατε, οὐ νομίζοντες εὔνουν εἶναι, κ. τ. λ.* Nothing more clearly reveals the desperate condition of besieged Athens, than that the people, catching at the word of such a man, should appoint him their plenipotentiary, without pressing inquiry into his plans.

70. — *οὐδὲν ἐπράξειν*. Theramenes stayed more than three months with Lysander, who then told him that the ephors, and not he, had power to make peace. When Theramenes came home with this report, the famine had become so intolerable, that he was sent back to make peace on any terms. This was probably his original scheme, as Xenophon intimates:

ἐπιτηρῶν ὥπότε Ἀθηναῖοι ἐμελλον, διὰ τὸ ἐπιδελοπέναι τὸν σῖτον ἀπαντα, διὰ τις λέγοι ὄμολογήσεων. *Hell.*, II. 2. 16. Goodwin's *Gr. Reader*, p. 64.—**ἔμνησθη**, "had mentioned," i. e. in the previous negotiations.—**Ἄλπιστε**, "had expected."—**ἴπαστε**: how does this tense present the idea as compared with **ἴπειθεν**, § 58? See **Ἐλεγον**, § 6, note. Lysias's assertion is corroborated by Xenophon (*Hell.*, II. 2. 22), προηγέρει δὲ αὐτῶν Θηραμένης λέγων ὡς χρὴ πειθεσθαι Λακεδαιμονίοις καὶ τὰ τείχη περιαρεῖν.—**ἀναγκαζόμενος...ἴπαγγελλόμενος**, see note on **ἀπεικεῖν...ἐπιληπτεῖν**, § 1. The proof of Lysias's assertion is of course merely circumstantial. How much harder were the conditions that Theramenes brought home, than those which the enemy at first proposed, Lysias states, XIII., § 14: Φην γάρ αὐτὶ μὲν τοῦ ἐπὶ δέκα στάδια τῶν μακρῶν τείχων διελεῖν ὅλα τὰ μακρὰ τείχη κατασκῆναι, αὐτὶ δὲ τοῦ δῆλο τι διαγάδον τῇ πόλει εὐρέσθαι τάς τε ναῦς παραδοῦναι τοῖς Λακεδαιμονίοις, καὶ τὸ περὶ τὸν Πειραιᾶ τείχος περιελεῖν. Although, in the strife which raged in Greece between oligarchy and democracy, party fury was often stronger than love of country, — so that even Xenophon was found at the battle of Coronea on the side of Sparta against his native Athens, — yet it is altogether improbable that the extreme and most humiliating demands of Sparta were suggested, as Lysias claims, by the Athenian oligarchs themselves. What Cicero says of the contending parties at Rome has its applicability to this case: *Nor illi nullam esse rem publicam, sed in ea quae esset se esse principes; neque hanc urbem conflagrare, sed se in hac urbe florere, voluerunt. Or. in Catil.*, III. 10.—**ἀποστρέψθησθε...κομεσθε**, *G.*, 50, 1, N. 1, & 77. See **ἴσονται**, § 45, and note.—**ταχεῖαν**, translate as a predicate, *G.*, 142, 3. *H.*, 535, b.

71. **τὴν ἐκκλησίαν**, the forms of the ancient constitution still subsisted, until they should be used to give sanction to the intended change.—**ἴως...** **ἐπηρήσθη**, *G.*, 19, N. 4 (b), 66, 1. — **ὁ λεγόμενος**, the common text, for which Rauchenstein reads **ὁ ὄμολογημένος**. — **ὑπ' ἑκείνων**, i. e. the Spartans. — **ἐκ Σάμου**. Samos, a large and fruitful island off the coast of Ionia, with a city of the same name fronting the Ionian coast, was the only ally or dependency of Athens which did not submit without resistance to the Lacedæmonians after the affair at *Ægospotami*. Lysander, after receiving the surrender of Athens, had proceeded to press the siege of Samos, and reduced it about the close of the following summer, B. C. 404. Lysander's return to Athens had been prepared for by putting out of the way the democratical leaders. See *Introd.*

72. **τούτων ὑπαρχόντων**, "these arrangements being ready." — **Φιλοχάρους καὶ Μιλτιάδους**: Rauchenstein regards these as companions of Lysander; Frohberger conjectures, from the names, that they were Athenians who had been sent to summon Lysander. — **τὴν ἐκκλησίαν**, "the intended assembly." — **ρήτωρ**, "a public speaker." In the free political atmosphere

of Athens a professional class flourished, who devoted themselves to politics and public speaking, and were called *ρήτροις*. For different estimates of them, compare Curtius, *Hist.*, III. pp. 90–93, and Grote, *Hist.*, VIII. 42, 43. The same policy of silencing the popular leaders had been tried in the previous revolution. See *note* on 'Αντιφῶντα, § 67. The Thirty, by one of their earlier edicts, even forbade all teaching of "the art of words." Xen. *Mem.*, I. 2, 31: *ἐν τοῖς νόμοις ἔγραψε, λόγων τέχνην μὴ διδάσκειν. — ἐναντιότο,* G., 216. H., 739.

73. — *τριάκοντα*; these were appointed, nominally, to draw up laws for the future government of the city, and to hold a provisional authority meanwhile. Dracontides, who acted merely as the instrument of others, "a scoundrel on whom repeated sentences had been passed" (Curtius, III. 579), became one of the Thirty. — *ἀπέδιεν*, "proposed." For the tense, see *note* on 'Ελεγον, § 6, and ἔβαδιξον, § 8. — *δικιας*, belongs with *ἔθορυβείτε*, G., 109, N. 5. — *οὗτοι διακείμενοι* refers to the situation as described in §§ 71, 72. — *ώς οὐ ποιήσοντες*, G., 277, N. 2. — *τηγνώσκετε*, "you were becoming aware." — *ἔξελησάσθε*, H., 315, also augmented *ήκκλητη*.

74. — *αὐτῷ μέλοι...θορύβου*, G., 184, 2, N. 1. H., 576, 595, b. — *πολλούς*, here predicative. — *δοκοῦντα...λέγοι*; this, in contrast with his former boasts, § 68, would further dispirit the people. *λέγοι* is construed with *ἔτειδή*; translate: "and since he spoke the views of Lysander and the Lacedæmonians." — *καὶ διτι*, "and particularly that," etc.: *καὶ* here = *alique.* — *παραστόνδους*, because the walls had not been demolished within the specified time, which had not been long enough. — *ἴχοι*, for this and the following verbs, see the passage commented on in G., p. 163. The reading here followed is that of the common text, for which Rauchenstein and Scheibe both read *ποιήσεθ* and *κελεύει*.

75. — *ἄνδρες ἀγαθοί*, in the language of each of the political parties this was the designation of their own members. — *γνόντες τὴν παρασκευήν*, "having perceived the concerted action." Compare the meaning of the aorist with that of the imperfect, *ἔγινωσκετε*, § 73. — *ώχοντο ἀπίστες*, "took their departure." G., 279, Note.

76. — *παρήγγελτο*, i. e. by the managers of the meeting. — *ἀπέδειξε*, "nominated." — *ἴφοροι*, see § 43, and *note*. — *κελεύοντειν*, G., 248, N. 1. H., 738. — *παρόντων*, those present were largely of the oligarchical party.

77. — *ἐν τῇ βουλῇ*, when replying before the senate to his impeachment by Critias. Xen. *Hell.*, II. 3, 35–49. Goodwin's *Gr. Reader*, pp. 70–73. Grote, *Hist.*, VIII. 249–252. — *ὅτι...καταθύοιεν*. In Theramenes's speech, as reported by Xenophon, this point is not touched. — *οὐδὲν φροντιζόντων Δ.*, the restoration of the exiles was one of the treaty stipulations. If this article was really the work of Thera menes, it was a point in favor of Lysias's claim that the whole disgraceful treaty was his work. — *πεπραγμέ-*

νων, construe with *αἴτιος*. — *τιν' ἔμοι*, construe with *εἰρημένους*, H., 885. — *τοιούτους τυγχάνοι*, “he met such a requital.” — *αὗτος... διδωκός*, so Scheibe, see *αὗτος ἐπαγγειλάμενος*, § 68. Rauchenstein prefers *αὗται*.

78. — *καὶ... καὶ... καὶ*; this accumulation of conjunctions not only suits the cumulative nature of the argument, but adds vehemence to the style, especially in delivery. — *γεγενημένου*, see *γεγενημένου*, § 64, and *note*. — *τολμήσουσιν*, the indefinite subject, “they,” includes specially Eratosthenes. — *Θηραμένους*; in translating join with *γεγενημένου*. — *δίκαλος*, so far as an act in itself despotic and outrageous may be extenuated by the comment “served him right.” With Critias, no doubt, it was a matter of self-preservation to despatch Theramenes, whose desertion of his colleagues in the preceding revolution made it likely that he would not scruple, should occasion serve, to deal with Critias as he had dealt with Antiphon, § 67. — *ἐν δλιγαρχίᾳ*, see the same and *note*, XXV., § 7. — *Ἄλη... κατέλυσε*, G., 19, N. 4, b. Instead of *Ἄλη* Rauchenstein adopts Sauppe’s emendation *Ἄλις*. The statement then becomes contrary to fact. Theramenes did not twice break down the oligarchy, except in a sense which probably did not enter the speaker’s mind. He had indeed co-operated to overthrow the Four Hundred. But he broke down the Thirty rather by his death, the manner of which increased the intestine strife within the faction, and gave a fatal shock to its stability. To avoid the difficulty, Cobet further emends by changing *κατέλυσε* to *κατέλυε*, “he endeavored to break down.” But this is arbitrary. The text as it stands needs no emendation. — *ἄντεν ἐν δημοκρατίᾳ*, supply *δίκην ἔδωκεν*. G., 212, 3. H., 754. On the protasis involved in *δίκαλος*, see *note* on *μυσεῖσθαι*, § 54. Theramenes, as the orator claims, should have been punished after the expulsion of the Four Hundred, and again, had he lived, after the deposition of the Thirty. — *παρόντων καταθρονόν... ἀπόντων ἐπιθυμόν*, compare, for the form, *ἡγούντο... ἐποιούντο*, § 7, and *ἀπειπεῖν... ἐπιλιπεῖν*, § 1. A sententious description of a restless agitator. — *τῷ... χρόμενος*, “under the fairest pretence,” i. e. of saving the city, § 68; *ὄνματι*, i. e. *σώσειν*, G., 188, N. 2, and 277, 2. H., 607, a, 789, b. — *διδάσκαλος*, “a prompter.”

79. — *ἐκεῖνος*, “that” long expected. — *μαχομένους μέν... ψηφίζομένους δέ*. “μέν and δέ are often employed also to connect two clauses, of which only the second properly belongs in the connection; while the other is merely inserted in order to heighten by contrast the effect of the second.” Buttmann’s *Gr.*, § 149, 11. Here *δεῖ μὴ εἶναι* is not said with reference to *κρείττους εἶναι*, but *ήττους*. Accordingly, the *μέν* clause is to be translated by “while,” or “seeing that,” with a finite verb, while *δέ* remains untranslated. — *πολεμιῶν... ἔχθρῶν*, these *synonymes* correspond respectively to the Latin *hostis* and *inimicus*, the former a foreign or public enemy, the latter a domestic or private one.

80. — **ἀν**, limiting **χάρις**. G., 153, N. 1. H., 810. — **τοντί**, imperative. See note on **χάρις ἀποδίδονται**, § 60. — **ἀν...δρυγίσοθε**, imperative. G., 173. H., 577. — **ἀποθέται**, i. e. in Eleusis, see *Introd.* — **μὲν...τείσουλεσθε**, see note on **μαχομένους μέν**, § 79. — **ἀφῆτε**, G., 86. H., 723, a.

81. — **Κατηγόρηται θή**. So Böke, Frohberger, Scheibe, and Sauppe, for the MSS. **κατηγορεῖται θέται**. Also Rauchenstein in earlier editions, whose sixth edition emends to **κατάγνωται θέται**, with Kayser and others. Translate: "the accusation of Eratosthenes and his friends is now complete." G., 17, 1, and N. 1. G., 173, 2, N.

The analysis of the remainder of the oration is as follows: §§ 81–91, *Comments on the complete case as it stands*. (1) These judicial formalities give an undeserved advantage to the tyrant, § 81, for whom no stretch of severity could be excessive, §§ 82, 83, while any mitigation is unseemly, and the proposal audacious, § 84; which proposal, however, marks the accomplices of the traitors, § 85. (2) These pleaders for the defendant are remarkable as men of doubtful merit and lukewarm patriotism, § 86. (3) The defendant's witnesses also occupy a singular position; they give the court credit for slight discernment, § 87, and suppose it to be unmindful of what has been endured and perpetrated, §§ 88, 89. (4) A square statement of the alternative issues, stripped of all excuse and subterfuge for the friends of the defendant, §§ 90, 91. — *An exhortation to the two classes of which the jury was composed*, §§ 92–98: (1) those of the city, §§ 92–94, and (2) those of the Piraeus, §§ 95–98, basing an appeal for their verdict upon a summary statement of the recent and present situation of each respectively. — *The Peroration*: (1) a condensed reiteration of the principal charges, § 99; (2) a reminder to the court of the duty due to those unjustly put to death, § 100. See *Analysis*.

οἰς...ἀνολόγαι, "to whom he will refer in defence"; **οἰς οὖς** is the more common construction with **ἀναφέω**. — **ἀπολογίας**, plural, with reference to all the various charges. — **μέντοι**, "yet"; the connection of thought is as follows: "The accusation is complete, yet I ought to speak of the advantage over the city which this trial gives Eratosthenes, for he," etc. — **κατηγόρος καὶ δικαιοτήτης αὐτός**; at first without restriction, but when, after many arbitrary executions, the Thirty were obliged to make concessions to the views of Theramenes, it was determined that no person in the list of the privileged Three Thousand (see note on **κατεψηφίσατο**, § 52) might be doomed to death by the Thirty without appeal (Xen. *Hell.*, II. 3, 51): all others, as before, held their lives at the tyrants' mercy. Under this rule, Lysias intimates, it was much easier for Eratosthenes to obtain verdicts than it is now for the city to get a verdict against him by due process of law. Compare the remark of Grote upon the unconstitutional condemnation of the six generals for neglect at the Arginusæ: "There has been no

people, ancient or modern, in whose view the formalities of judicial trial were habitually more sacred and indispensable than that of the Athenians; formalities including ample notice beforehand to the accused party, with a measured and sufficient space of time for him to make his defence before the dicasts; while those dicasts were men who had been sworn beforehand as a body, yet were selected by lot for each occasion as individuals." *Hist.*, VIII. 196.

82. — οὐδὲ ἀν, *G.*, 42, 2, and Note 1. — παρανόμως; the fate of the six generals could hardly fail to have suggested and been suggested by this word. We have already observed, §§ 36, 68, that the orator seems afraid of that topic, though it is one that he can hardly help referring to. — ἀξίαν construe with λαθούτε. — ἀν...πόλιν, *G.*, 159, and N. 2. *H.*, 555. ἀν, by attraction for ἀ. — τι...παθόντες, "by what sufferings?" What regular form of the protasis does this participle represent? Observe the position of ἀν, and see *note* on οὐδὲ ἀν above. — εἰησαν...δεδωκότες, *G.*, 18, 1.

83. — ἀν οὐτοι, the antecedent of ἀν is the ημεῖς in λαθούμεν. — ἀλλὰ γάρ, see the same and *note*, § 40; translate: "but [why speak of full satisfaction?] for," etc. This elliptical expression is equivalent to "nay, more." — χρήματα τὰ φανερά, "real property," in distinction from cash and valuables which the Thirty had probably removed. — δημάστερε...ἔχοι, *G.*, 54, 1, (6). — καλῶς ἀν ἔχοι, "would it satisfy?" — εἰληφασιν; observe the special force of the perfect, denoting the continuance of the result (*G.*, 17, N. 2, and Rem.), as distinct from the aorist ἐξεπέρθησαν, denoting momentary past occurrence. Although part of these losses could be made good out of the confiscated estates of the tyrants, it was not possible to effect a restoration to the rightful owners of all the property which had unlawfully changed hands during the troubles.

84. — δίκην παρ' αὐτῶν; after these words Rauchenstein and others put a conjectural [δέξιαν] without, as it seems, sufficient reason. δίκη alone here stands intelligibly enough as the equivalent of δίκην δέξιαν, § 82, and ικανήρ δίκην, § 83. Compare δίκη δοῦναι δίκαιωτ' ἀν, § 37. — πᾶς οὐκ αισχρόν, see οὐκ οὐδὲ δεινόν and *note*, § 36. — ἡγινούν, *H.*, 816, a. Suits (see XVI., *General Note*, 7) were of two kinds, according as a variable penalty was inflicted at the discretion of the court (this was the δίκη τιμητή), or as the penalty was prescribed and fixed by law (δίκη ἀτίμητος). The present case was of the former kind, as the law contemplated no such accumulation of crimes as Eratosthenes was charged with. — βούλοιτο, *G.*, 61, 4. — ἀν...τολμήσου; what form of the finite verb does this represent? *G.*, 53, compare 41 and 21. Where does the protasis appear? *G.*, 52, 1. — νυν, emphatic. — οὐχ ἐτέρων δυτῶν τῶν δικαιοτῶν; "the subject generally has the article, the predicate not"; Arnold's *Gr. Prose Composition*: *H.*, 535. — τῆς τούτου πονηρίας; instead of τούτου we might expect έαυτοῦ, since the

subject *δοτις* refers to Eratosthenes (see *note* on *οἴτινες*, § 40, and compare *note* on *δι*, § 65); *οἴτος*, however, as the common designation of an *adversary in court*, is not uncommonly used by Lysias, where we should expect the reflexive. See *note* on *τούτους*, XXV., § 33. — ή...ή, equivalent here rather to *vel...vel* than to *aut...aut*, the assigned grounds of Eratosthenes's confidence, *καταπεφρόνηκεν* and *πεπιστευκεν*, being tantamount to each other, as the course of thought in the next section shows.

85. — *ἔδύναντο*; why is the imperfect used here instead of the aorist, as in the next line? *G.*, 49, 2 (second paragraph). Observe the changes of number in this section and the preceding, as if Eratosthenes and the Thirty were equivalent terms. — *μή*, *G.*, 283, 4. *H.*, 839. — *συμπράττοντων*, *G.*, 16, 2. Compare *τότε συμπράττοντας*, § 46. — *Διθεν*, i. e. into court. — *βοηθήσοντες*; these were in part the *συνερούντες*, § 86, and in part other persons who appeared in court to throw their influence in favor of the defendant. — *τοῦ λοιποῦ*; what distinction in meaning between the genitive and the accusative? *H.*, 591, *fine print*.

86. — *συνερούντες*, see *General Note*, 4. — *ἄξιον θαυμάζειν*, “we well may wonder.” — *αἰτήσονται*, *H.*, 689, “will intercede.” — *ἔβουλόμην*, *G.*, 226, 2, *fine print*. *H.*, 752. Like the Latin *vellem*, *ἔβουλόμην* *δν* may refer to past time, and here, with *εἴω*, means, “I could have wished them to be.” *G.*, 49, 2. In § 22 it is used in reference to present time. — *οἴτοι*, supply *προθύμοιντο*. — ή, “or whether.” — *οὐχ...οὐδείς...οὐδεί*, *G.*, 283, 8, last part. *H.*, 843. The emphasis of the strengthened negative is thrown on *τὰ δίκαια*, in contrast with the present readiness to defend the wrong. *H.*, 858, b.

87. — *ἄξιον ιδεῖν*, compare Cicero's expression, *operæ pretium est cognoscere*; *Or. in Catil.*, IV. 8. — *τό...πλήθος*. Rauchenstein reads *τοῦ...πλήθους*. But see the following accusatives with *διά*, and compare *δι' ὑμᾶς*, § 58, *δι' ἑτέρους*, XXV., § 29. — *τοὺς τριάκοντα σάστιν*, intimating that a verdict for Eratosthenes would be a verdict for the Thirty. — *δέ* = “while.” — *ἐπ' ἐκφοράν*. Frohberger cites *Æsch.*, III. 235: *οι τριάκοντα οὐδ' ἐπὶ τὰς ταφὰς καὶ ἐκφορὰς τῶν τελευτησάντων εἰων τοὺς προσήκοντας παραγένεσθαι*.

88. — *οὐς οὐτοις ἀπάλεσαν*, a rhetorical amplification thrown in with special reference to the following clause. — *τελευτησάντες*, often used absolutely, without the *τὸν βίον*. — *πέρας...τυμώριας*, “are debarred from taking vengeance on their enemies.” — *οὐκ οὖν δεινόν*, see § 36. — *τὸν μέν*, see *note* on *μαχομένους μέν*, § 79. — *συναπάλλυντο*, *G.*, 11, N. 4. — *ἐπ' ἐκφοράν*, as if there were no doubt of the defendant's condemnation. — *δπότε*, between this and the preceding clause some such expression as *ως εἰκός* is implied. — *βοηθεῖν*, emphatic: when so many are ready for the more arduous work of defending them, how many more would attend their funeral!

89. — καὶ μὲν δῆ, see the same, § 30, and *note*. The number ready to aid Eratosthenes occasions a sarcastic reference to his claim, § 25, ἀντέλεγον. — πολλῷ, G., 188, 2. H., 610. — εἴναι, “that it would have been,” G., 15, 8, supply *διν*, see *οἶδεν τὸ ήν*, and *note*, § 49. — ἢ, “than” [it is]. The implied εἴναι is a present tense here, while an imperfect before. — ἀπολογήσασθαι, the distinction between the *συνεροῦντες* and the *μάρτυρες* is dropped at this word, which applies to both, as *βοηθοῦντες*; see the preceding *βοηθεῖν*, § 88. — τῶν μὲν Ἑλλήνων. Lysias meets the claim that Eratosthenes is the least culpable of the Thirty, by claiming that he is a citizen who has harmed his country more than any foreign enemy. Compare Cicero in *Catil.*, IV. 5: *qui autem reipublice sit hostis, cum civem esse nullo modo posse.*

90. — δεῖξε, G., 25, N. 5, (a), Markland's conjectural emendation of the common reading δεῖξατε. This and the following section have mainly in view the city party, who are directly addressed in § 92. — δῆλοι...ώς, G., 113, N. 1 and 10. Francken remarks that the only other example of this construction in good Attic [prose] writers is Xen. *Anab.*, I. 5, 9. — τὰ...προσταχθέντα, an allusion to the defendant's plea, § 25.

91. — ἀποφῆψισαμένους, G., 277, 2. H., 789, b. — κρύβδην, “in secret.” H., 492, h. See *General Note*, 3. Comp. Demosth. XIX. 239: *εἰ κρύβδην ἐστιν ηγέρος*.

92. — ὀλίγα...ἀναμνήσας, G., 159 and N. 2. H., 554. — καταβάνειν, i. e. from the speaker's platform ((βῆμα). — διὰ τούτων, compare διὰ τὸ τλήθος, § 87, and *note*. The genitive with διὰ denoting the *means*, and the accusative denoting the *efficient cause*, are in this connection about equivalent. — παραδείγματα, H., 556, a, “warning examples.” — ἔχοντες, “with,” G., 109, Note 8. — ἡρχεσθε, in this word lies the hatefulness of the past tyranny, as contrasted with the present liberty expressed, § 94, by πολιτεύεσθε. — πόλεισιν, G., 159. H., 547, a. — ἡττηθέντες, in the following paradox the unnaturalness of their recent civil war is well characterized.

93. — οἴκους; οἴκος often = οὐδια, as, Lysias, XIX. 47: *οἴκος οὐδὲ Ελλαττονή ἐκατὸν ταλάντων*. — ἐκ τῶν πραγμάτων, “as a result of their administration.” Compare § 56: the narrative, §§ 6–20, has substantiated the assertion. Rauchenstein and Scheibe before έ insert [διν]. But while personal aggrandizement *would have been* a result of prolonged power, it *was* an actual result while their power lasted. Frohberger and others therefore reject the [διν]. — ὑμᾶς, i. e. you as a community; there were individual exceptions to the rule; see the next oration, § 16. — συναφείσθαι, “to share benefits,” συνδιαβάλλεσθαι, “to share accusations”; ὑμᾶς is subject of both; as to the idea, see *note* on πᾶσιν δσοι, § 30. — κοινούμενοι...μεταδιδόντες, denoting the *means*, see *ἀποφῆψισαμένους*, § 91. — ἐκτῶντο,

G., 200, N. 2. H., 702. — **τῶν δυναδέν**, i. e. by compulsory participation in their outrages; compare Plato, *Apol.*, § 20: *καὶ δῆλοις ἐκεῖναι πολλοῖς πολλὰ προσέταττον βουλόμενοι ὡς πλείστους δυναπλῆσαι αἰτιῶν*. — **φόντο εἶναι**, G., 15, 2, N. 3. See note on **φόντο κτητασθαι**, § 19. “By such participation,” remarks Grote, “these citizens became compromised and imbrued in crime, and, as it were, consenting parties in the public eye to all the projects of the Thirty; exposed to the same general hatred as the latter, and interested for their own safety in maintaining the existing dominion.” *Hist.*, VIII. 244.

94. — **ἄνθ' ὁν**, H., 813, *fine print*. — **ἐν τῷ θαρραλέῳ**, G., 139, 2. H., 496. — **τημαρήσασθε**, H., 691. — **τηρχεσθε**, recalling the odious word (see § 92) for the sake of the contrast. — **νῦν** belongs with **πολιτεύεσθε**, H., 885; compare **εἰρημένοις ὑπ' ἐμοῦ**, § 77, and note. — **ἀρίστων**, i. e. the **ἄριστες ἀγαθοῖ** in § 97. — **πολεμοῖσ**, the tyrants now besieged in Eleusis. — **ἄκτικορων**, the garrison of 700 Spartans; see *Introd.* — **ἄκροπολιν**. The Acropolis, or citadel of Athens, was “a square craggy rock rising abruptly about 150 feet, with a flat summit of about 1,000 feet long from east to west, by 500 broad from north to south.” It was the chief centre of the architectural splendor of Athens. “After the Persian wars the Acropolis had ceased to be inhabited, and was covered with the temples of gods and heroes, and thus its platform presented not only a sanctuary, but a museum, containing the finest productions of the architect and the sculptor.” (Smith’s *Smaller Hist. Greece*, Ch. X., which see for a good condensed account of the Acropolis.) The occupation of their national sanctuary by domineering foreigners must have stirred the indignation of every patriotic Athenian. With this well-put appeal, therefore, the orator closes his address to that portion of his hearers from which he might apprehend some opposition.

95. — **τοσαῦτα**, see the same, and note, § 47. — **Πιεραιῶς**, the Piraeus party was the one which Lysias had sided with, see *Introd.*, and on whose full sympathy he might reckon. — **μάχας**, see **πόλεμον**, and note, § 92. — **ἀφηρέθητε τὰ δπλα**, G., 164. H. 553, a. See note on **ἀφεῖλοντο**, § 40. — **ἐκκρύχθητε** (see XXV., § 22). After the destruction of Theramenes, the Thirty forbade those who were not enrolled in the privileged list of the Three Thousand (see note on **κατεψηφίσαστο**, § 52) to enter the city. Xen. *Hell.*, II. 4. 1. — **πόλεων**, those, namely, in alliance with Sparta. Xenophon, as just referred to, says **ἐνέπλησαν καὶ τὰ Μέγαρα καὶ τὰς Θήρας τῶν ὑποχωρούντων**. Almost all of Greece was then included in the Lacedæmonian alliance; compare § 97, **πανταχόθεν ἐκκηρυττόμενοι**. Several cities refused to comply with the demand of Sparta, especially the two above named, with Argos, and Chalcis in Eubcea. — **ἔγροῦντο**, for the middle voice, compare **γέτησαρο**, § 59, **αἰτήσονται**, § 86, and notes. The demand of Sparta was inspired by the Thirty, and is therefore charged to their account.

96. — δρυσθῆτε; distinguish by the accent the aorist imperative from the aorist subjunctive. Happily for Athens, this strong and natural desire of revenge did not control the policy of the restored democracy. See *Introd.* “The Athenian Demos, on coming back from Piræus, exhibited the rare phenomenon of a restoration, after cruel wrong suffered, sacrificing all the strong impulse of retaliation to a generous and deliberate regard for the future march of the commonwealth.” Grote, *Hist.*, VIII. 303. — οὐτέ έφεύγετε, “when you were in exile.” — οὐ, compare οἴτες, § 40 and οὐ, § 65. — ἀγορᾶς. The Agora — corresponding in nature to the Forum at Rome — lay at the foot of the Acropolis toward the northwest; not southwest, as generally stated (see Smith's *Map*, 1873). It was adorned with colonnades, one of which, the Στοά Ποικίλη (from which the Stoic philosophers got their name), was especially famous for its paintings; and was lined with temples and the statues of gods and heroes. Here also was the Senate House (*Βουλευτήριον*), and the θόλος, or Round House, in which the Prytanes (see XVI., *General Note*, 3) took their common meals, and offered sacrifice. As a focus of political freedom, and under the special protection of the tutelary gods whose statues and temples it contained, the Agora is significantly mentioned here in connection with τῶν λερῶν, as desecrated by the violators of civil liberty. — ἐκ τῶν λερῶν συναρπάζοντες, e. g. Theramenes had been dragged from the altar of Hestia in the senate house. — φονέας αὐτῶν, i. e. by drinking the hemlock-cup. — ταφῆς, see §§ 18, 87. — βεβαιοτέρα; as applied to the government it means *more stable*, as applied to the divine vengeance it means *more certain*. Each of these ideas is expressed in the rendering, “*more sure*.”

97. — διέφυγον; διεφύγετε would correspond better with the concluding ήλθετε. — πλανηθέντες: after the triumph of the extremists in the murder of Theramenes, such a reign of terror set in throughout Attica, that emigrants in great numbers, and many in great destitution, swarmed into all the adjacent districts. — ἐκκηρυττόμενοι, see note on πόλεων, § 95. — πολεμήσα, predicate, compare ταχεῖαν, and *note*, § 70; translate, “their native country, which had become a hostile country.” — τοὺς μέν, i. e. those left behind . . . τοὺς δέ, i. e. those in exile; in each case the preceding τοὺς παῖδας. — For the terms of peace, see *Introd.* So far as concerns actual fighting between the Piræus party, under Thrasybulus, and the Spartans, under Pausanias, the honors of war were chiefly, though not wholly, with the latter. But the spirit and force displayed by the exiles, together with the universal clamor against the misgovernment of Athens, combined with the anti-Lysandrian feelings of Pausanias to put the speediest end to the troubles by an accommodation satisfactory to the Athenians themselves. For Sparta herself this was not only the easier course, but also, in the view of the Greeks generally, the more popular one.

98. — *τούτων*, “these objects,” i. e. the liberation and the restoration. G., 171. H., 580. — *ἄν*, see note on *οὐδὲν ἄν*, § 82. — *ἔφεύγετε*; why not aorist, like the connected verbs? See *ἔδύναντο*, and note, § 85; translate, “you would be in exile.” H., 698. — *μὴ πάθητε*, G., 20 and 46. — *τρόπους*, as described, § 96. — *ἐκτι ἔντης*, supply *γῆς*. — *συμβολαῖν*, “loans”; properly, bonds or notes for repayment of loans. — *ἔβούλευον*, as bound to liquidate their indebtedness by a fair term of service.

99. — *Ἄλλα γάρ*, see XXV., § 17, and note. — *τὰ μᾶλλοντα*, equivalent to *ἃ ἔμελλεν*, with an implied *ἄν*, G., 49, 2, N. 3, (e). — *οὐ δυνάμενος εἰπεῖν*, recurring to the thought with which he began, *ἀνάγκη...ἀπειπεῖν*, § 1. — *προθυμίας*, G., 172. H., 575. — *τῶν ἵερῶν*, a term comprehending, with the temples themselves, also the movables therein, and the lands belonging thereto: the wider signification appears in *ἀπέδοντο*; the narrower in *εἰσιντες* — *ἔμιανον*; the presence of a man-slayer or other criminal polluted the sanctuary. Observe the distinction between the aorist and imperfect. *ἀπέδοντο* refers to them as sold and done with; *ἔμιανον*, as subject to recurring acts of desecration. — *μικρὰν ἑτοίουν*, see § 70. — *τῶν νεώριων*; these included ship-houses (*νεώρους*), of which, in the three harbors of Piraeus, there were 372, dock-yards for building (*ναυπήγια*), and a naval arsenal (*σκευοθήκη*) which contained armor and stores for 1,000 ships. These *νεώρια*, or navy-yards, were constructed, under Pericles, at a cost of 1,000 talents. The Thirty had let out the work of demolishing them for the sum of three talents. Their motive is stated § 40. — *οἰς...βοηθήσατε*, compare *οἰς δηλώσατε*, § 60.

100. — *ήμῶν*, all the speakers. — *ήμᾶς εἰσεσθαι...φέροντας*, “will take knowledge how you vote.” — *ἀποψήφισησθε*, G., 61, 3. — *αὐτῶν*, “them,” reflexive, with some emphasis. H., 671. — *καταψήφισθαι*, which Scheibe (ed. II.), Cobet, Frohberger, etc., read after the MSS., seems preferable to the conjectural *κατεψήφισμένους ἔσεσθαι*, which Rauchenstein adopts. — *λάβωσιν*; *λάβητε* would correspond better with the preceding *ἀποψήφισησθε*: for a similar interchange of the second and third persons, see § 97, *διέφυγον* and *ῆλθετε*. — *πεποιημένους*, G., 113; not to be diluted into an infinitive by supplying *ἔσεσθαι*. — *Παύσομαι...δικάζετε*, for the asyndeton (H., 854) Frohberger cites Aristotle, *Rhet.*, III. 19, *τελευτὴ δὲ τῆς λέξεως ἀρμόττει ἡ δούνδετος, δικαὶος ἐπίλογος, ἀλλὰ μὴ λόγος γένεται εἰρηκα, ἀκηκοατε, ἔχετε, κρίνατε*. — *ἔχετε*, “you understand”; literally, “you have,” i. e. the facts and their interpretation. In Latin, *habeo* is similarly used. This and the three words preceding may be imagined as deliberately uttered, in tones corresponding to their climactic arrangement; then a pause at the colon, followed, impressively, by the concluding *δικάζετε*.

REPLY TO “THE OVERTHROW OF THE DEMOCRACY.”

XXV.

INTRODUCTION.

It has been stated in the *Introduction* to the Oration against Erasthenes, that in order to check revengeful prosecutions after the restoration of the democracy, B. C. 403, Archinus, who had been the chief colleague of Thrasybulus in the struggle for the restoration, and to whom, next to the gods, as Demosthenes said, the city was indebted for her salvation, had the famous law passed, in the year after the restoration, which entitled persons prosecuted contrary to the amnesty to the privilege of a demurrer. Reference has also been made in the *General Note* (5) to the Defence of Mantitheus to the *dokimasy*, or scrutiny of the record of persons chosen to office, as affording an opportunity for the gratification of animosity in cases where it would be less easy to prosecute successfully a complaint under a specific law. In the present oration we probably find an instance where the revenge precluded by the law of Archinus was sought through the *dokimasy*. That this oration was prepared for a case in *dokimasy* seems pretty clear from some expressions in §§ 3 and 4. Such as the following, § 10, ὑμᾶς οὖν χρὴ ἐκ τούτων δοκιμάζειν τοὺς πολίτας, and § 23, ἡμᾶς μετέχοντας τῶν πραγμάτων, are not easy to understand in any other way.

That the date of the oration must be placed very soon after the restoration, is probable, not only from § 24, which represents the exiled faction as watching to see what policy would be adopted in the resettlement of affairs, but also from the way in which the time of misrule is referred to as but just past. From §§ 23 and 28, in which only the oaths of amnesty and concord are referred to, it has been inferred that the law of Archinus had not yet been passed, and consequently that the oration was delivered between the restoration in September, 403, and the beginning of 402. But as the law of Archinus had reference only to judicial proceedings, and provided only a judicial bar to such proceedings, the inference from silence in regard to that law in a case

of dokimasy perhaps cannot be absolutely depended on. In the dokimasy, says Curtius, “it was easy to reopen the old account of wrongs, without violating the amnesty in terms ; and whosoever, after giving a lively description of the oligarchic intrigues, put the question whether men who had taken part in them were really worthy of filling offices of public trust, might rely upon applause, and cheaply acquire the glory due to a friend of the people.” — *Hist.*, IV. p. 153. It is clear from an expression in § 28, that *some* interval had elapsed since the restoration. See *note* on *πολλάκις . . . διεκελεύσαντο*. This interval, however, can hardly have been more than a year.

The title given to this oration by the old grammarians is not obviously intelligible. It is probable (see Curtius, *Hist.*, IV. p. 155, *note*) that the phrase *δήμου κατάλυσις* — “overthrow of the democracy” — had become a party cry of demagogues, and that it contains the pith of the objection made to the present speaker, as having favored the recent overthrow of the democratical constitution. His defence, therefore, might be entitled a “Reply to the Charge of Overthrowing the Democracy,” or, in abbreviated form, a “Reply to ‘the Overthrow of the Democracy.’”

A wonderful moderation had characterized the proceedings of the Athenian democracy in its exultant return to power. The soul of that policy, so unprecedented in Greece, was Thrasybulus, and the equally worthy, though less celebrated, Archinus, of whom Curtius says, that “in intellectual capacity and in the spirit of his opinions, he was the foremost man of the restoration.” — *Hist.*, IV. p. 68. The race of sycophants, however, had not died out (see *General Note* (10) to the Oration against Eratosthenes) ; and as it was not to be expected that the magnanimous spirit of the leading patriots would animate every democrat who had suffered from the fury of the oligarchs, so the arts of venal and greedy men were at hand to rouse and tempt the dormant spirit of revenge. And this indeed took place. “Fellows of the vilest kind, only entitled to be tolerated in the city . . . under cover of the amnesty, promoted the most shameless charges, and hired themselves out for money to annoy other citizens in the enjoyment of this very amnesty.” — Curtius, *Hist.*, IV. p. 155. Such persons apparently had appeared against the present speaker. If their base practices were to succeed, could the original policy of amnesty and toleration be supplanted by one of proscription and revenge, the road to another revolution would be entered on. And the stability

of the restored democracy lay only in turning a deaf ear to the men who for ends of the most despicable selfishness sought to evoke and pander to the spirit of retaliation. The only prospect of peace and prosperity lay in faithful adherence to the Thrasybuline policy of moderation, and the oaths that guaranteed it, § 28.

This is the drift of the speaker's argument. He speaks like a man who, previous to the revolution, might have favored a moderate oligarchy, or at least a limited democracy. He, indeed, avows no preference for either form of government, and it is quite clear that he is no earnest democrat ; but the tone which he adopts — urging the interests of the country as superior to those of party — is such as any sensible member of a hopelessly worsted party might well assume at such a time. In contrast with the prevailing spirit in Grecian politics, the sentiments of the speaker are remarkably elevated. (See *note* to § 70 in the preceding oration.)

The difference in tone between this oration and the Oration against Eratosthenes is very striking. In that we seemed to hear the cry of an extremist for vengeance ; in this we listen to the plea of a moderate for toleration. It is not necessary, however, to suppose that the views of Lysias had undergone such a change in the short time — at most but a few months — since he had demanded the punishment of his brother's murderer. Eratosthenes having been specially excepted, as one of the Thirty, from the amnesty, Lysias could with entire consistency pursue him to the death, and at the same time call upon the people, as in this oration, to abide by their covenant with those to whom amnesty had been sworn. It is quite unnecessary, therefore, to attempt to account for the difference in the tone of these two orations, by referring to what has been said in the *Biographical Introduction* of Lysias's skill in adapting speeches to the individuality and circumstances of the speakers.

Lysias was on friendly terms with Thrasybulus and other leading democrats, and we may well suppose that we have in this oration the views, not only of Lysias himself, but of the best men in the party which then controlled the policy of Athens.

The burden of the charge against the speaker was, that he had not cast in his lot with the exiled democrats, but had remained in the city during the despotism of the Thirty, by which, it was claimed, he showed himself on the side of those who had overthrown the democracy, as a man who had nothing to fear from them. The reply is

presented in a very simple train of thought, which, with no display of oratorical ingenuity or art, holds us by its solid good sense and transparent truthfulness.

In form, the oration is a personal exculpation, but in substance it is a statesmanlike demonstration of a sound political policy. Twice in the last nine years had internal abuses, through the machinations of sycophants and oligarchs, overthrown the democracy; and no sooner had the state regained liberty and peace after the second and most disastrous of these revolutions, than the same evil practices began to be rife which had led to the woes just past. In such a situation the speaker, mostly abstaining from his personal matters (and therein presenting a marked contrast to Mantitheus), proceeds to show, from the fresh memory of the recent troubles, where lies the seed of all political instability and disorganization, and to demonstrate the only basis of future permanency and prosperity under the newly re-established government.

GENERAL NOTE ON POINTS OF THE ATHENIAN CONSTITUTION TOUCHED IN THIS ORATION.

1. *Arbitrators.* The pressure of business on the courts of Athens was relieved by the institution of arbitrators (*διαιτηταί*). Of these there were two kinds, the *private* (*αἰτεῖται*), chosen by parties themselves, as among us, to be referees in particular cases, and the *public*, drawn annually by lot (*κληρωταί*). The number of these arbitrators in the year B. C. 325 is known by an inscription to have been one hundred and four. It is probable that they heard civil causes only. It was at the option of the complainant to bring his case before them or a higher court. Which of the public arbitrators should hear any case was determined by lot. The parties might, however, agree to select their arbitrator. In that case there was no appeal from the award. The public arbitrators, besides lawsuits, sometimes sat to examine matters which could not be conveniently examined in a court of justice, as wills, deeds, etc. It was sometimes the case also, that they were called on to preside at the examination by torture of a slave supposed to be cognizant of some disputed matter. (See *General Note*, VII. 2.) The compensation of the public arbitrators was by prescribed fees from the parties interested.

2. The *Euthyne*. The legislation of Solon, b. c. 594, imposed on the archons the requirement of having their year of office reviewed and judged by the popular assembly. This custom spread at a later period into every branch of the public service. Every person who had filled any office — the dicasts excepted — was obliged, within thirty days after the expiration thereof, to render an account (*eiōwn*) of his administration. Until this was done, many of the civil and even personal rights of the ex-official remained in abeyance, and whoever refused to render his account was punished with forfeiture of civil rights. Any citizen had the right to bring complaint against an ex-official in the euthyne. In the case of financial officers the scrutiny was specially strict; in many other cases, the mere non-appearance of an accuser entitled the past officer to an honorable discharge.

3. *Atimia* (*ἀτιμία*), literally signifying dishonor, technically signified the loss of civil rights. He who incurred it suffered a kind of civil death. He was excluded from the agora, the public sanctuaries, and the public sacrifices ; he could be neither plaintiff, defendant, nor witness in any judicial process ; he could neither speak nor vote in any public body ; he could hold no place whatever in any branch of the public service. While he was not actually proscribed as a mark for enemies, he had no claim to the protection of the laws so long as he was in *atimia* (*ἀτιμίας*).

Atimia was of three kinds, (1) total and perpetual ; (2) total, but terminable ; (3) partial. The first kind was inflicted on givers or takers of bribes, defaulters to the treasury, cowards, false witnesses, false accusers, unfilial sons, unjust judges, spendthrifts, fornicators, and those who insulted a magistrate in his duty. The second kind was terminable as soon as the duties were performed, whose neglect had incurred it ; the public debtor was *atimos* no longer than his debt remained unpaid. The third kind extended only to particular rights ; e. g. the failure of an accuser to carry the votes of one fifth of the jury deprived him of the right to appear again as accuser in a similar case.

It was difficult to remove atimia in ordinary times ; but occasionally, when grave peril menaced the state, considerations of the public safety induced the restoration of civil rights to the *atimoi* in a body, § 27.

4. *Apagoje* (ἀπαγογή). This was a summary process, by which a culprit caught in the act could be led at once before a magistrate.

who, upon proof of guilt, could inflict punishment without reference to the courts ; otherwise the case must go up for regular jury-trial. The magistrates who presided over the apagoge were generally the Eleven (the board which had charge of the prisons, the police, and the punishment of criminals), or some one of the archons. In case the complaint were ill-founded, the complainant was liable to forfeit 1,000 drachms (§181). The process of apagoge was tyrannically abused by the Thirty. (See also *General Note*, VII. 3.)

NOTES.

XXV.

ANALYSIS.

I.—The Exordium, §§ 1–4.

The orator conciliates his judges, and impugns his accusers, § 1.

Declares these either incompetent or false, § 2.

Asks that they be discountenanced, and the innocent impartially treated, for the city's sake, § 3.

As both innocent and meritorious, he claims civil rights, § 4.

II.—The Argument, §§ 5–34.

A. Negatively. There is no case against him ; the accusers have been driven to tax him with the crimes of others, § 5, but

It is unjust to reward or punish the wrong persons, § 6.

B. Positively.

1. *With reference to his own case*, §§ 7–18

a. In general : the test of the revolutionary and of the loyal spirit, §§ 7, 8.

As illustrated in the two recent revolutions, § 9.

Furnishing a fair rule for the dokimasy, § 10.

And a test of the accusations of sycophants, § 11.

b. In particular : his own case as illustrating the foregoing principle, § 12.

Especially as to his condition under the recent oligarchies, §§ 13, 14.

And to his conduct during the same, §§ 15, 16.

Which record guarantees his future course, § 17

Who then are not, and who are, worthy of popular displeasure, § 18.

2. *From the tyranny of the Thirty*. You blamed them for visiting the sins of the few upon the many, § 19.

Consistency and the public good require you to blame their policy still, § 20.

3. *From the suicidal error of the oligarchs.* You were disheartened while they agreed, § 21, but Elated and strengthened by their disagreements, § 22. Therefore concord and observance of the amnesty are your salvation, § 23, but A proscriptive policy your perdition, hoped for by your enemies, § 24.

4. *From the history subsequent to the fall of the Four Hundred, §§ 25-27.* Showing the ruinous consequences of listening to sycophants, § 27.

5. *From the counsels of the leaders of the restoration, § 28.* With whom as political guides contrast the sycophants, §§ 29-31, Whose influence reduces democracy to a mere name, § 32, Who favor only their selfish ends, §§ 32, 33, Whose base principles and practices are notorious, § 34.

III.—The Peroration, §§ 34, 35.

The claim and the apprehension of innocent citizens in the situation of the speaker.

1.—λόγου, i. e. those of the accusers. — γεγενημένου, i. e. in the time of the Thirty. — ὀργίζεσθαι; Frohberger remarks, that a more usual construction with συγγνώμην ἔχειν τινά is a participle, or a clause with *ei* or *éan*, more rarely *otu*. ὀργίζεσθαι clearly stands in the relation of a protasis to συγγνώμην ἔχω (G., 52), and so one MS. reads *ei* ὀργίζεσθαι. — διμελούντες... ἐπιμελούνται, Socrates (*Mem.*, III. 7, 9) reproaches the Athenians in general with this fault: *οι γάρ πολλοί ὡρμηκότες ἐπὶ τὸ σκοτεῖν τὰ τῶν ἀλλων πράγματα, οὐ τρέπονται ἐπὶ τὸ ἑαυτοῦς ἔξετάζειν.* — ή ὑμᾶς πείθεν; instead of these words Francken would read ὑμᾶς πείθοντες. — ἦμαν, i. e. who remained in the city. — γνώμην ταίστην, i. e. ὀργίζεσθαι.

2.—[πάνθ' ὁμοῦ]. Frohberger and Francken read simply *ὁμοῦ*, without brackets. — ὡς.. προσῆκον, G., 110, 2, and see ὡς οὐκ ἔχω, XII., § 2, and note. — ἡμοί, emphatic. — ποιούνται τοὺς λόγους, see the same phrase, and note, XII., § 2. — ὅντα, i. e. during the rule of the Thirty, G., 16, 2. — οἴστηρ, H., 850, 3. — βελτιστος, Buttmann's Gr., § 68, 1, thus distinguishes in signification the anomalous forms of comparison given under ἀγάθος: *ἀμείνων, ἀριστος, abler, braver, fitter; βελτιων, βελτιστος, better in a moral sense; κρείσσων, κράτιστος, stronger, superior; λίγων, λιγότος, more advisable*, only used in certain connections. — μείνας, G., 109, 6.

3.—ἐκ τούτων, involves a protasis, = if they should accuse these. — χρηματίζοντο, because the innocent frequently, through timidity, prefer to pay hush-money. — ἢ ίσου, "on equal terms," i. e. to men of both parties. — οὔτε, involves a protasis, = "if you should so do." G., 52, 1, and the concluding examples.

4.—ἀποφήνω... γεγενημένος, for ἀποφήνω ἔμαυτὸν γεγενημένον, H., 797. So also Francken and Frohberger, instead of the *ἀποφανῶ* of the MSS. — ταίστα, i. e. equal civil rights. — δν, depends on *τυγχάνειν*.

5.—The speaker here begins his *argument*. See Analysis. — τεκμήριον,

of *what*, can easily be inferred. The thing to be proved is regularly stated, as Francken observes, by a clause with *ὅτι*, but here the *ὅτι* clause contains the proof itself. — *κατηγόρουν*, for the construction following, see G. 173, 2, N. — *τιμωρεῖσθαι*, middle.

6. — *εἰκότως* ἄν, a repetition, in varied phraseology, of the idea already expressed in *δίκαιον εἶναι*. For a similar repetition, compare *αισθάνεσθαι*, § 23. Observe that *εἰκότως* here involves a protasis, the full form of which would be, *εἰ τὰ εἰκότα ἔχοιεν*, “if they had fair treatment.” — *ἰκανοὶ...καὶ...νομίζοντες*, co-ordinate predicates after an understood *εἰστιν*.

7. — *οὐς*, an infrequent use of the relative in place of the interrogative. — *καὶ δημοκρατίας*; read instead *καὶ οὐς δ.* So Rauchenstein, Cobet, and Frohberger. — *καὶ ίμεις*, *you*, as well as I. — *γνώσεοθε*, connects with the following *ως*. Frohberger, bracketing only *ἀποφαίνων*, as the interpolation of some copyist, regards *καὶ...ποιήσομαι* as a genuine parenthesis. — *ἐν δημοκρατίᾳ...ἐν διλιγαρχίᾳ*, “under a democratic,” . . . “under an oligarchic constitution.” The same words with the article, as in §§ 11, 15, 27, refer definitely to the actually existing democracy, or oligarchy. — *οὐδέν*, G., 160, 2. H., 848, a. — *προσῆκον*. Supply *ἔστι*, construed with the foregoing *ως* as a connective like *ὅτι*. Translate: “that I have no inducement at all to be ill-disposed.”

8. — *διλιγαρχικός*, H., 469, b. — *δημοκρατικός*, not elsewhere used by the orators, and so Cobet substitutes here its more common synonyme, *δημοτικός*, Lat. *popularis*. Frohberger, however, cites an example from Plato's *Republic*, IX., 571: *οἱ τυραννικὸς ἀνὴρ πῶς μεθίσταται ἐκ δημοκρατικοῦ*, and remarks that the philosophical notion is what Lysias wishes here to express. As to the proposition here stated, it occurs also in Isocrates, VIII., § 133: *πανσώμεθα δημοτικὸς μὲν εἶναι νομίζοντες τοὺς συκοφάντας, διλιγαρχικὸς δὲ τοὺς καλοὺς κάγαθοὺς τῶν ἀνδρῶν, γνώντες δὲ φύσει μὲν οὐδεῖς οὐδέτερον τούτων ἐστίν, ἐν ἦ δ' ἀν ἔκαστοι τιμῶνται, ταῦτην βούλονται καθιστάναι τὴν πολιτελαν*. The idea that the individual existed for the state was combined in ancient politics with this idea that the state-constitution existed for the individual. — *συμφέρη*, G., 62. — *οὐκ ἀλάχιστον*, a *litotes*; see the same, XII., § 22, and *note*. Translate: “it lies to a very great degree with you.” — *ως πλεστούς*, H., 664, a.

9. — *προστάτας*, H., 726. — *μετεβάλλοντο*, the imperfect is preferable to the aorist, because of the *repeated* changes. So also Scheibe. Two revolutions and two restorations had taken place in about nine years. — *Φρύνιχος*, a man of great talents as an orator and a general, had worked his way up by intrigues and sycophancy, till we find him prominent among the Athenian commanders at Samos, B. C. 412 and 411. At first an opponent, he was gained over to be a partisan of the first oligarchy, and was assassinated

shortly before the downfall of the Four Hundred. — **Πάσανθρος**, a man who stood in evil repute at Athens as an effeminate debauchee, and who was at the same time a born intriguer, and an adept in dissimulation. Curtius, *Hist.*, III. p. 338. See also XII., § 66, and *note*, and VII., § 4. — **τὰς...τυμπαλας**, observe the article, — the due, or the lawful punishments. H., 527, c. — **τὴν προτέραν διληγαρχίαν**, see XII., § 65. — **ἔνιοι**, especially Theramenes, XII., §§ 66, 67. — **ἀπογραφαμένων**. Grote (*Hist.*, VIII. p. 280, note 2) confesses that he does not comprehend this allusion. Rauhenstein thinks it refers to those citizens who had pledged themselves to go with the Thirty, in case these thought it necessary to retire to Eleusis, but who, instead of keeping their engagement, united with the Piraeus forces under Thrasybulus in blockading Athens. Frohberger's explanation seems preferable, viz.: Those who "enlisted for Eleusis" are those who preferred to remove to Eleusis under the Thirty, rather than remain in Athens under the amnesty; but afterwards thought better of it, and joined the Athenian army in blockading their late superiors in Eleusis.

10. — **πολιτεάς**, observe the emphatic position given this word by inverting the usual order of subject and predicate. — **αἱ διαφοραὶ**, see XII., § 51. — **ἐκ τούτων**, "from this point of view." — **ἐν τῇ δημοκρατίᾳ**, see *note* on **ἐν δημοκρατίᾳ**, § 7. — **ἡσαν...πεπολιτευμένοι**. Francken regards this connection of the pluperfect with the present, *χρή*, as a strange one, and suggests that *χρή* should be *χρῆν*. But see *G.*, 17, N. 2. Translate accordingly: "considering what their political relations were." — **τύγνετο**, the imperfect, with reference to a continued time after the change of constitution. — **δικαιοτάτην**, predicative, see *ταχεῖαν*, XII., § 70, and *note*. Distinguish the protasis and the apodosis which are combined in the proposition **οὐτω...ποιοῦσθε**. See *οὐτω*, and *note*, § 3.

11. — **ἀτίμοις**, see *General Note*, 3. — **εὐθύνας**, see *General Note*, 2. — **δεδωκότες**, suggests the ground of the atimia. — **ἀπειτηρημένοι...κεχρημένοι**, supply *ἡσαν* with each. Three classes are specified, viz. those who had suffered atimia, those who had been impoverished (perhaps by liturgies or fines), and those who had suffered any similar adversity (as by the loss of a valuable office). — **προσήκεν αὐτοῖς**; for another construction, see § 7. — **διπλούς**, remains constant to its infinitive, though its subject has been attracted into the dative by *προσήκειν*. — **αὐτοῖς ἔσεσθαι**, *αὐτοῖς* is emphatic. *G.*, 145. *H.*, 669, b. — **διφελεγοι δὲ αὐτοῖς**; when the relative pronoun would be in different cases in connected propositions, the Greek was fond of changing the relative to *αὐτός*, sometimes *οὗτος*, in the second and successive members of a compound sentence. — **τὰς περὶ τούτων**. So also Francken; but Frohberger omits *περὶ*. — **οὗδ' ἀν**, see *ἀν...ἀναφέρωσι*, and *note*, XII., § 28. — **οἱ...πράττοντες**, "the politicians." — **φάσκωσι**, "should assert." The distinction between *φάσκω* (assert, or allege) and

φημι (say), was not always observed. Compare φασίν, XII., § 49, VII., § 2; φησίν, VII., § 28.

12. — ἐμοί, emphatic. — ἐν ἐκείνῳ τῷ χρόνῳ, i. e. under the democracy, § 11. — οὐδεμία, receives emphasis by separation from its subject, συμφορά. — ἀνθ' ἡστίνος. Compare ἀνθ' ὅτου, XII., § 2, and note. — ἐν προθυμόμενος, G., 42, 2, and N. 1. Compare οὐδὲν ἀντί, XII., § 82, and note. — παρόντεν...ἀπαλλαγήναι, see XII., § 45. — ἐτέρων...πραγμάτων, a change of government, a revolution; so the Latin *nova res*. For ἐτέρων Cobet reads *νεωτέρων*. What difference between the conception of the imperfect, ἐπεθύμουν, and an aorist, ἐπεθύμησα? — τετριηράρχηκα, ...εἰσφοράς...λελατούργηκα, see XII, *General Note*, 5, 6, 8. — οὐδενὸς χειρός, the negative belongs to the adverb. Translate: "in a manner not inferior to any of the citizens." See οὐδενὸς ἥπτον, VII., § 31, and note.

13. — προσταττομένων, no definite sum was required to be spent in the fulfilment of a liturgy, but a satisfactory execution of the trust was expected. — ἐδαπανώμην, H., 690. See VII., § 31. — βελτίων...νομιζούμην, an unreserved avowal which no one hesitated to make. See XVI., § 17. — ὁν...ἀπεστερούμην, "of advantage from all which things I was deprived." — χάριτος, depends on τυγχάνειν. A case in point was that of the wealthy Antiphon, who had furnished two well-equipped triremes for the war at his own cost, but was put to death by the Thirty. — ὡς...εἰηφότες, G., 109, N. 4. — ταύτην, i. e. the injuries done you. The pronoun is very often assimilated to the gender of a predicate substantive. As to the fact stated, see XII., § 93. — παρ' ἡμῶν, i. e. those who remained in the city. — μὴ...λόγοις, see VII., § 34, note on λόγων.

14. — τῶν τετρακοσίων, see ἔφόρων, XII., § 46. G., 169. H., 572, a. — ή, "else." — ὁ βουλόμενος, G., 108, 2. — παρελθὼν ἀλεγάτω, "step forward [to the *bema*] and confute me." — οὐ τοίνυν οὐδέ'; this emphasizes the second member of the sentence, see H., 859, a: translate: "nor indeed, furthermore." For the sixfold negative, see G., 283, 8. H., 843. οὐ qualifies the whole sentence, introducing it as a negative sentence; οὐδέ belongs specially to the temporal clause. — βουλεύοντα...δρεῖσαντα, H., 708. — εἰ μὲν...εἰ δέ, a sharply put and conclusive *dilemma*: "I was either not willing to serve under the Thirty, or not permitted to do so: if not willing, I deserve your approbation; if not permitted, my accusers deserve your condemnation as liars." For a similar bit of argument, see XII., § 34. — νννί, emphatic. — πιμάσθαι, i. e. by being admitted to the office to which I have been designated. — δίκαιός εἰμι, "I am entitled," H., 777, and examples. — ψευδομένος, predicate accusative, G., 166. H., 556. — ἀποδεῖσαι; what is the protasis?

15. — δέξιον σκέψασθαι, see note on δέξιον ιδεῖν, XII., § 87. — παρέχον. Could παρεῖχον have been used instead? With what difference would it

have presented the thought? For the active instead of the middle, see H., 688, a. — **κεχρήσθαι**, *G.*, 18, 3, Remark. — **τις' άμοθι**, observe the emphasis repeatedly given to the personal pronoun in this section. — **τις τῷ δλιγαρχίᾳ**, see *τις δλιγαρχίᾳ*, § 7, and *note*. — **άνωχθεις**; for the technical meaning, see *L. & S. Lex.* (Am. ed.), **ἀπάγω**, IV. and *General Note*, 4. Imitating the despotic abuse of the summary process of *apagoge* by the Thirty (XII., § 16), private persons among their partisans resorted to it in taking revenge upon their enemies. — **εὐ πεπονθώς**, that is, unjustly, and for party purposes: *G.*, 165, N. 1.

16. — **οὐ τοίνυν οὐδέ**, see the same, and *note*, § 14. — **εὐ ποιεῖν... χαλεπόν**, because of the policy of the tyrants as described in XII., § 93. — **κατάλογον**, “a list of suspected persons was drawn up, in which each of the adherents of the tyrants was allowed to insert such names as he chose, and from which the victims were generally taken.” *Grote, Hist.*, VIII. p. 247. — **Αθηναῖον**, join with **οὐδένα**. — **διαιταῖν**, *G.*, 159. II., 547, a. See *General Note*, 1. — **καταδιαιτησάμενος**, causative middle. — **πλουσιότερος**, see § 26, and XII., § 93.

17. — **καὶ μὲν δῆ**, see XII., § 30, and *note*. The speaker calls attention to the record just exhibited. — **δοτίς**, not **ὅς**, because, according to Frohberger, not the *man*, but the *sort* of man is the turning-point of the argument. Compare **οἱ** and **οἱτεις**, § 18, and see XII., § 40, **οἵτινες**, and *note*. — **ἡ ποι.** see XII., § 35, and *note*. — **προθυμηθήσομαι**; apparently the time since the restoration had been too brief for the speaker to give proof of good-will by any public service. — **ἀλλὰ γάρ**; the ellipsis may be filled by some such thought as **τι δεῖ πλεῖλα λέγειν**; see XII., § 99. — **μη ἐπιθυμεῖν**; the same thought is elsewhere expressed by Lysias, e. g. XXI., § 15, **καὶ τοῖς θεοῖς εὐχεσθαι τοὺς ἀλλούς εἶναι τοιούτους πολίτας, ἵνα τῶν μὲν ὑμέτέρων μη ἐπιθυμήσωσι, τὰ δὲ σφέτερα αὐτῶν εἰς ὑμᾶς ἀναλίσκωσιν**.

18. — **δικαῖως**, see XII., § 54, and *note*. — **φυγόντας**; distinguish the signification of the aorist from the present **φεύγοντες**, § 20. — **έχθρούς**, see **ψευδομένους**, and *note*, § 14. — **ἀφηρημένους**, observe the force of the middle. — **σφετέρας αὐτῶν**, a mere variation of the preceding **ἐαυτῶν**, *G.*, 137, N. 1; 147, N. 2. *H.*, 676, *fine print*. — **τι τῷ δοτεῖ**. Cobet strikes out the **τῷ**. Frohberger, however, regards the article as giving a *local*, rather than a *party* reference to the phrase. — **οἵτινες**, “such as”; see *note* on **δοτίς**, § 17. — **μετέσχον**, why not **μέτεσχον**? — **τιμεῖς**; for the sake of antithesis to **ἐκεῖνοι**, the subject of **οἰσθεῖ** is here repeated in the nominative, despite the contiguous infinitive: see *Buttmann's Gr.*, § 142, N. 3: “When, in a dependent clause, there are introduced other subjects besides that of the main sentence, and consequently, for the sake of antithesis, a repetition of the subject in the dependent clause seems necessary, a twofold construction may take place, viz. either all the subjects are put in the accusative, or the

repeated subject stands alone in the nominative," etc. Frohberger remarks that this construction is found in only one other instance in Lysias (XXX., § 8), but is very frequent in Demosthenes, and not rare in Xenophon. — *τῶν πολιτῶν*, i. e. of the *οἱ ἐν δοτεῖ* party.

19. — *ἐκ τῶνδε*, "from the following considerations," H., 679. — *ἰκλεπτον* ... *ἀδωροδόκουν*, observe the force of the imperfect. Grote remarks that "personal and pecuniary corruption seems to have been a common vice among the leading men of Athens and Sparta." *Hist.*, V. p. 381. — *ἐπὶ τοῖς ὑπερέροις*, supply *πράγμασι*; *ἐπὶ* denotes the *occasion*. — *συκοφαντοῦντες...* *ἀφίστασαν*. Speaking of Alcibiades, Lysias says, XIX., § 52: *διπλάσια ἐκείνων τὰς πόλεις διδόναι τὴν διλλωφίαν τοις τῶν στρατηγῶν, ὥστε* ἐντοῦτο εἶναι τινες αὐτῷ πλέον τὴν ἐκατὸν τάλαρα. — *τούτους μόνους*, the διδικοι of XII., § 5. — *ἐνυμεροῦντο*, "had continued the practice of punishing," G., 49, 2. — *ἐκείνους*, i. e. the peculators, sycophants, etc. — [τῶν] *διλγων*. Frohberger defends the bracketed article as needed to distinguish "the minority" from the body of citizens. — *κοινά*, emphatic.

20. — *τούτους*, "these measures," i. e. punishing the many for the misdeeds of the minority. — *ἐκείνους*, in this connection, can only refer to the Thirty. *δ...πάσχειν* stands in the relation of object-accusative to *ἡγείσθαι*, and *δίκαιοι* is the predicate-accusative. — *περὶ αὐτῶν* refers to *ἐτέρους*, i. e. persons in the situation of the speaker. So Frohberger. See, however, the following. — *Ἑχετε* is imperative. — *φεύγοντες*, H., 698. — *περὶ τοῦν αὐτῶν*. Rauchenstein brackets these words, regarding them as an interpolation occasioned by referring the preceding *περὶ αὐτῶν* to *persons*, *ἐτέρους*, whereas he refers it to the unjust *practices* complained of. — *τοῖς ἔχθροις*, see this thought amplified in § 23.

21. — *τῶν...γεγενημένων*, for the genitive after *ἐνθυμηθῆναι*, see XVI., § 20, and *note*. — *ἀμαρτήματα*, "mistakes." — *ἀμεινον* modifies *βουλεύσασθαι*, from which it is separated, and placed forward in the sentence, for emphasis. — *ποιηση*, G., 44. For the idea expressed, compare Virgil's *ab hoste doceri fas est*; also, Aristophanes's *ἀτ' ἔχθρῶν πολλὰ μανθάνοντιν οἱ σοφοί* (*Birds*, 376). — *ἀκούοντε*, G., 62. — *τὴν αὐτήν*, supply *διλήλοις*. — *κακὸν...* *φυγῆ*; the same idea is expressed in Xenophon's account of Theramenes's reply to Critias (*Hell.*, II. 3, 44): *εἰ δὲ τὸ κράτιστον τῆς πόλεως προσφίλως ήμῶν εἴχε, χαλεπὸν ἀντίγεινθαι (τοὺς φεύγοντας) εἶναι καὶ τὸ ἐπιβαλλειν ποι τῆς χώρας*.

22. — *ἐπινθάνεσθε*, preferable to *πινθάνοισθε*. So also Francken, with Kayser, who remarks that the change of *θε* to *πειδη* corresponds well with the change of mood. The optative *ἀκούοντε* denotes an indefinitely repeated action; the imperfect, a definite continued action. — *τρισχιλίους*, a privileged number of citizens, supposed to be favorable to the Thirty, and therefore, together with the cavalry-men (see XVI., *Introd.*), permitted to hold

some civil rights. — *στασιάζοντες*, after the defeat at Munychia, in which Critias perished (see XII., *Introd.*). — *ικκεκηρυγμένους*, see *ἔξεκηρύχθητε*, XII., § 95, and *note*. — *μή τὴν αὐτήν*; see Thucydides, VIII. 89, and Grote's remarks (*Hist.*, VIII. pp. 58–60) on the greater likelihood of discord in an oligarchy than in a democracy. — *τιπήριον δεδιότας*, “anxious for your success.” — *πολεοῦντας*; all whom the Thirty could then rely on were the Lacedæmonian garrison and the cavalry-men. — *ἄπερ*, “precisely what.” — *σωθῆσεσθαι...κατέναι*, Frohberger remarks that the omission of either of the infinitives would destroy the *isocolon*. See XII., § 7.

23. — *παραδίγμασι*, predicate-dative, H., 607, a. For the argument, compare XII., § 92. — *βουλεύεσθαι*; the word denoting the function of the dicasts was *δικάζειν*, XII., § 100, in order to which it was necessary, as intimated, *βουλεύεσθαι*, etc. — *ἴστεσθαι*; what other tense could be used? G., 25, 2. — *δημοτικωτάτους*, the superlative perhaps hints at improper applications of the epithet *δημοτικός*, which were common in Athens, as was the case also with the synonymous *popularis* at Rome. Compare Cicero (*in Cat.*, IV. 5), “*ne quis . . . in pernicie populi Romani posthac popularis esse possit.*” — *οἵτινες*, see § 18. — *δρονοῖσι*, emphasized here (by its position) as the watchword of a sound domestic policy. — *δρκοῖς...συνθήκαις*, see XII., *Introd.* — *ταῦτην*, see the same, and *note*, § 13. — *αὗτοῖς*, the same as *οἱ φεύγοντες*, § 24. — *τούτων*, ή, one of these words is superfluous in translation. H., 884. Compare with this pleonastic use of the pronoun to announce the following clause, the Latin *hoc* or *illud*, in such sentences as, *Hoc te rogo, ut epistolam scribas.* — *αἰτθάνεσθαι*, not a necessary word, but thrown in to balance the *μέν* clause. Compare *σωθῆσεσθαι...κατέναι*, and *note*, § 22. — *ώστερ*, G., 109, N. 9.

24. — *πολιτῶν*, limits *πλείστους*. — *διαβεβληθεῖσαι*, G., 18, 3, N. — *δέξιαι*, here thrown into the middle of the sentence, because less emphatic than the two infinitives. What is the protasis? — *πονηρίαν...σωτηρίαν*, compare *ἀπειπεῖν...ἐπιλιπεῖν*, XII., § 1; see also §§ 54, 78, *notes*; also *σωτηρίαν...τιμωρίαν* above, § 23.

25. — *δ...συμβουλεύουσιν*, i. e. party revenge. — *δ...παραινά*, i. e. *όμονοῖς*, § 23. — *ἀμφοτέραις...πολιτεῖαις*, i. e. both oligarchy and democracy. — *Ἐπιγένην*, the three individuals here named, and just before alluded to as *οὗτοι*, are not otherwise known, but were probably the accusers in this case. — *καρπωσαμένους...συμφοράς*, compare *οὐδὲ πλουσιώτερος*, § 16, and *note*.

26. — *τίνων...θάνατον*, G., 173, 2, N. — *ἀκρίτων*, probably the six generals are referred to (see XII., § 36), who perished *ἀκριτοί*, so far as they had no constitutional trial. *ἀδίκας δημεύσαται*; the fact is more circumstantially stated in XXX., § 22: *ἡ βουλὴ ἡ βουλεύουσα δταν μεν ἔχη ἱκανὰ χρήματα εἰς διοικησιν, οὐδὲν ἔξαμπαρτάνει, δταν δὲ εἰς ἀποτλαν καταστῆ, ἀναγκάζεται εἰσαγγεῖλας δέχεσθαι καὶ δημεύειν τὰ τῶν πολιτῶν καὶ τῶν βρητῶν τοῖς*

τὰ πονηράτα λέγουσι πειθεσθαι. — δρυγρίον λαμβάνοντες, compare χρήματα λαβών, and note, XII., § 8; λαμβάνοντες rather than λαβόντες, to denote a repeated act. — εἰσηνόντες, i. e. with informations, εἰσαγγελίαι; see XVI., General Note, 7. — πρότερον...τοις, see XII., § 71, and note. — πλοτόσιοι δύνονται, see § 19.

27. — ἴμεις...διετέθηρε; Francken remarks that this also depends on the preceding *τοις*, as the point to be described is not, mainly, the *disposition* of the Athenians, but, to what *condition* they had been brought by the practices of the sycophants. A comma, therefore, might stand after *έγενοντο*. So Frohberger, who puts a comma also after *διετέθηρε*, where Francken omits *ώστε*, and puts a period. The measures here described were taken after the disaster of *Ægospotami*, and previous to the surrender of the city. The orator Patroclides, in the interest of the oligarchical party, proposed "that public debtors, and those who had been condemned in public suits, or whose case was still under judgment, those who had formerly been members of the Four Hundred, together with all who had wholly or partially forfeited their civil rights, should be reinstated in their full rights and honors. . . . So comprehensive an amnesty had only occurred twice in Attic history: once under the archonship of Solon, as the introductory measure to his great work of reconciliation, and again at the time of the battle of Salamis, when it appeared necessary to unite all forces at hand for the preservation of the common country." Curtius, *Hist.*, III. p. 564. Frohberger cites Cicero (*in Verr.*, II. 5, 6): "Perditæ civitates desperatis jam omnibus rebus hos solent exitus exitiales habere, ut damnati in integrum restituantur, exsules reducantur, res judicatae rescindantur." — φεύγοντας, the restoration of the exiles could not be accomplished until the termination of the siege. It was then made an article of the treaty stipulations. — ἴμενται; Andocides (*Or. de Myst.*, § 76) says: ἔδοξεν...πίστων δλλήλοις περὶ ὁμοιολας δοῦναι ἐν ἀκροπόλει. The imperfect tense is noticeable here in the series of aorists. It conceives the fact not as a single momentary occurrence, like the vote which decreed it, but as an action which required time for its completion. The Areopagus (see XII., General Note, 2) appears to have acted in this emergency as a Committee of Safety, and probably these proceedings were by its direction. See XII., § 69. — τοὺς δρῆσαντας, against whom, and their adherents, the sycophants had operated in the time of the Four Hundred. — οἱς κατέστη, compare οἱς...κατεδουλώσατο, XII., § 78. Frohberger cites Plato (*Rep.*, VIII. 564): ἡ ἄγαν ἐλευθερία ξοκει εἰς ἄγαν δουλειας μεταβάλλειν. — οἱς is governed by πειθομένοις, which agrees with *ἴμην* understood; and the subject of ἐλυσιτέλησε is the *πειθεσθαι* which is implied in *πειθομένους*, and might have stood here in its stead. Rauchenstein, with Frohberger, prefers to connect πολλάκις

immediately with *πειθομένοις*. But the speaker's point is, that his hearers must *no more* follow evil counsellors. Accordingly, he says, in a kind of *litoles* (XII., § 20), *οὐκ ἀξιος τούτοις πολλάκις χρῆσθαι συμβούλους*. The reading here followed is Scheibe's.

28. — *οἱ...πύχοντες*, specially Thrasybulus, Archinus, and Anytus. The last named was a man of the people, uncultured and rough, who had become rich in the trade of a tanner, and who acquired afterward the ill-name of being one of the accusers of Socrates, and probably the influential mover of his prosecution. For Thrasybulus, see *note* on XII., § 52; as to Archinus, see *Introduction* to this oration. — *πολλάκις...διεκελεύσαντο*, *G.*, 30, 1, N. 1. See the speech of Thrasybulus, *Xen. Hell.*, II. 4, 40–42. Goodwin's *Gr. Reader*, p. 85. Time enough had apparently elapsed since the restoration for quite a number of occasions to arise, on which the leaders of the people had to insist on the observance of the amnesty. — *ταίτην*, for *τούτοις*, referring to *έμμενεν*: see the same, and *note*, §§ 18, 23. — *ἀδελλαν*, oftener construed with the simple genitive, XII., § 85. — *ποιήσειν* depends on an implied *γοῦντο*, and has for its subject *τοῦτο* understood, referring to *έμμενεν*.

29. — *οἱ*, i. e. to the leading patriots. — *δι' ἑτέρους*, for the case, see *δι' ὑμᾶς*, XII., § 58, and *διὰ τούτων*, § 92. — *ἐπάθησαν*, see § 22, where this word and *κατέταπεν* are used as synonymous. — *φανέρους*, the personal construction instead of the impersonal. Compare the use of *δῆλος*, XII., § 50, and *δῆλοι*, § 90. — *ἐν δημοκρατίᾳ*, see § 7, and *note*. — *δηποσοὶ τινες*, the speaker has sketched himself already in § 17.

30. — *τούτων*, construed with *θαυμάζειν* by prolepsis, *H.*, 726, instead of standing as subject of *ἐποίησαν*. — *ἄν ἐποίησαν*, for the argument, see XII., § 34. — *πλούσιοι*, see § 26, and compare Cicero (*in M. Antonium*, II. 27), *modo egens, repente dives*. — *εὐθύνην*, in the disturbances of the times, there was probably no lack of pretences on which the *euthyne* could be avoided. — *πόλεμον*, i. e. a war of prosecutions. — *κατηγορήκαστι*, “have proclaimed,” as though the power were in their hands. — *τούτους*; for the change from the relative to the demonstrative, see § 11, *note* on *δηπειλεῖται δὲ αὐτοῖς*. — *ἄπιστοι...γεγενήμεθα*, “we have lost the confidence of the Greeks.” There were complaints, e. g. of the favor shown to Athenian citizens in lawsuits with other Greeks. The demagogues had also, since the death of Pericles, gradually doubled the annual tribute of the dependent cities, not for war-purposes, so much as for largesses, shows, and buildings in Athens. See Plutarch, *Aristides*, § 24.

31. — *ἐκεῖνοι...οὗτοι*; see Lys. XXVIII. 13: *δησοι δὲ κατελθόντες ἐν δημοκρατίᾳ τὸ μὲν ὑμέτερον πλῆθος ἀδικοῦσι, τοὺς δὲ ἰδίους οἰκους ἐκ τῶν ὑμετέρων μεγάλους ποιοῦσι, πολὺ μᾶλλον αὐτοῖς προστήκει δρυγίσειται ή τοῖς τριάκοντα. — δημοκρατίας*, supply *οὖσης*. — *οἰονται χρῆναι*, sarcastic, “think it their

duty." — *οὐτος δεῖλος*, "without further scruple." — *διδικούντων... γεγενημένοι*, *G.*, 111.

32. — *καὶ τούτων*, Rauchenstein conjecturally emends *καὶ* to *καίτοι* in view of the preceding negation (§ 30) of the *λέγον θαυμάζειν* which he here asserts. The simple *καὶ*, however, is often used, as here, to introduce an antithesis. Compare VII., §§ 15, 40, and *notes*, and see L. & S. *Lex*. The speaker here offsets his previous remark by saying, "And yet, *they* are not so to be wondered at as *you*." — *γίγνεται* §4, notwithstanding the principle of democracy is *τὸ τούτον*, XII., § 35: *δέ* = "while," XII., § 87. — *τὰ σφέτερα*, see *note* on *τῆς σφετέρας*, § 18. — *μὴ διδόντες*, i. e. to the sycophants.

33. — [*κινδύνεον*], Rauchenstein, bracketing this word, assents to the view of Cobet and Scheibe, that it is a mere gloss. — *σωτηρία*, Rauchenstein and Frohberger read *σωτήρια*, and cite XII., § 69. — *τούτους μὲν ἐπιλύσεσθαι*, the common text, for which Rauchenstein and Sauppe have *ἐποδύεσθαι*, Frohberger *ἐπιλύσθαι*, — future middle with passive meaning, for which it is difficult to cite an example from Attic prose, — and Francken (who exclaims, "*Locus unus omnium difficilissimus*"), *ἐπιλύσθαι*. The analogy of XII., § 84, *τῆς τούτου τοντηρίας* (see *Note*) refers *τούτους* to the present accusers, as the speaker would probably show by a gesture; *ἐπιλύσεσθαι* signifies to become weak, i. e. to lose credit. — *ἴκεινον* refers to the just-mentioned *ἐτέρους*. — *τοῦτον' αὐτὸν δεῖστρατες*, according to Kayser's conjecture, for the common text, *τὸ αὐτὸν πάντας*. Frohberger reads *διὰ τούτον πάντας*. — *διποδόν εἰσιν*, for the form of the apodosis, see *G.*, 50, 1, R. 1.

34. — *τῷ βουλομένῳ*, involves the protasis, *εἰ τις βούλεται*, *G.*, 49, 1. See XVI., § 7, and *Note*. — *αὐτὸν τε... δέσθεις* §4; *H.*, 855, b. Frohberger remarks, that this transition from a copulative to an adversative form, though quite common in the orators and historians, is used by Lysias elsewhere only in XIX., § 62. It throws the main emphasis on the second proposition. — *μὴ δοκούντες*, *G.*, 283, 4. *H.*, 839. See *μὴ* in XII., § 85.

The Peroration, see *Analysis*. — *ἡμεῖς* §4; in his peroration, as in the introduction, § 1, and throughout the argument, the speaker expresses himself as a representative of his party. — *πρὸς πάντας*, observe the emphatic position, *ὑμᾶς* being subject of the infinitive.

35. — *συγγνάμην ἔχομεν*, a recurrence to the introductory remark, § 1, but with a qualification. Observe the same recurrence to the opening strain in XII., § 99. — *διέκην διδόντας*, definite instances where this took place *in contravention of the amnesty* — which *διως* implies — are not known. The Thirty and their immediate agents were excepted from the amnesty, and the seizure and execution of their generals at Eleusis (see XII., *Introd.*) does not come within the scope of the speaker's remark, which bears only upon

civil processes. — *εἰς ὑπόψιαν καταστήσετε*, i. e. "suspicion" that the sworn amnesty will be of no benefit to us, and that we must seek our security in new measures. But this will be likely to produce fresh troubles.

Though the speaker's concluding word, or words, are lost, evidently little remained to be said. Francken suggests, that the conclusion might have been as follows: *ἡμᾶς εἰς ὑπόψιαν καταστήσετε ὑμῖν δ' αἰσχυστα βουλεύσεσθε· ἐάν δὲ τιναντί, βοηθήσετε καὶ τοῖς νόμοις τοῖς κειμένοις, καὶ τοῖς δρόκοις, οἷς διωρύξετε.* But a terse brevity in the conclusion is characteristic of Lysias's style (see *Biographical Introduction*).

AREOPAGITIC ORATION CONCERNING THE SACRED OLIVE TRUNK.

VII.

INTRODUCTION.

OLIVE culture has been from remote antiquity an important part of husbandry in Attica, whose soil and climate are peculiarly adapted to the production of a fine quality of that fruit, and where to this day extensive olive groves flourish on the banks of the Cephissus. The state very early exercised supervision over the olive-trees as a valuable source of national wealth. In the fifth century B. C. a law was passed which forbade the uprooting of olive-trees under a penalty of 200 drachms (\$36.20) for each tree destroyed, excepting for sacred purposes, or to the extent of two trees per annum for the convenience of the proprietor. (Grote, *Hist.*, III. p. 135.)

Besides the common olive-trees (*Δαῖαι*), which were the property of private individuals, there were also public olive-trees (*μοπίαι*), sacred to Athene, supposed to have been propagated from the sacred and immortal olive-tree in the Erechtheum, which Athene, in her contest with Poseidon for the possession of Attica, had miraculously produced. A plantation of these trees stood near the temple of Athene in the Academy. A considerable number of such *μοπίαι* were also scattered about on private grounds, constituting incumbrances thereon. They were all registered, the right to gather their produce was leased, and their oversight was committed to the Areopagus (§ 29). This body both nominated inspectors (*γράμμοντες*) to exercise supervision over the trees, and in its monthly sittings took cognizance of all complaints respecting them (§ 25). To cultivate the ground immediately about a *μοπία* was forbidden under a fine (§ 25), as impairing the tree's productiveness. The removal of such a tree was punishable, as an outrage on a sacred object under the protection of *Ζεὺς μόπος*, by exile and confiscation (§ 3). The action was *ἀριμητρος* (XII. § 84, *Note*), and not subject to any statute of limitation, *προθεσμία* (§ 17).

During the Peloponnesian War, and the subsequent struggles between the oligarchical and democratic parties of Athens, the country

had been devastated far and near (§ 6), and the olive-trees, both common and sacred, had perished in large numbers. But the vitality of this tree ("silva vivacis olive," *Virg.*) is such, that when cut down it sprouts again, if the stump be left in the ground. To protect this new growth an enclosure (*στικός*) had been thrown around, and a mutilated *μορία*, when thus enclosed, was called a *στικός*, which term signified both the tree and the land enclosed, as well as the enclosing boundary. The same term is applied to the enclosures of temples and holy places generally, in which category the *μορία* belonged.

The present oration is the defence of a person, now of unknown name, who had been accused of removing one of these *στικοί*, tree and all. He appears to have been a thrifty and influential landholder (§ 21), who, while not putting himself forward in politics, had fulfilled his duties as a citizen in a generous way (§ 31), yet had not escaped the envy and the enmity which a strong and successful man often provokes (§ 40). The accuser, Nicomachus, a young man, seems to have brought an utterly unfounded complaint, partly at the instigation of the enemies of the accused (§ 40), and partly in the hope of intimidating him to pay hush-money, in which expectation, however, he had been disappointed. He seems to be in a sorry plight with his case, having been obliged to abandon the original indictment, and to betake himself, in his address to the court, to a modified charge, in substantiation of which he has neither witnesses nor other evidence. The defendant, on the other hand, is able to produce witnesses enough to show that on the piece of ground alleged neither *μορία*, nor *στικός*, nor any tree at all, had stood while the place had been in his possession. This is quickly done, and in a technical and legal point of view it is sufficient to secure the defendant's acquittal. But it was a point of honor to win, if possible, a unanimous acquittal, and to come off with eclat. It not only conferred respect, but secured immunity from further attempts of sycophants, when the accuser failed to carry at least one fifth of the jury in his favor; as he thereby was subjected to a fine of 1,000 drachms (§ 181), and to partial *ἀρμία*. (See *General Note*, XXV. 3.) In the present case, therefore, the defendant does not rest content with having secured his acquittal; he means to leave his accuser not an inch to stand on. Accordingly, after having met the legal necessities of the case, he goes on, in the second and more discursive part of the oration, to exhibit, from various points of view, the tissue of improbabilities and absurdities involved in the charge,

the untrustworthiness of the accuser, and the utter weakness of his case.

The oration, as its title implies, was delivered before the senate of Areopagus (see *General Note*, XII. 2). The king-archon (see *General Note*, XII. 1) brought the case to trial, and presided. The date of the oration can be approximately determined. The alleged misdemeanor was committed (§ 11) when Suniades was archon, or B. C. 397. Blass dates the oration, at the earliest, B. C. 395.

GENERAL NOTE ON POINTS OF THE ATHENIAN CONSTITUTION TOUCHED IN THIS ORATION.

1. *Graphe* (*γραφή*) signifies in Attic law-language a public action as distinguished from *dike* (*δίκη*), — a private suit. (See *General Note*, XVI. 7.) In its common and limited application it is not inclusive of the *δοκιμασία*, or trial of qualifications (see *General Note*, XVI. 5), or of the *εὐθύνη*, or trial of accountability (see *General Note*, XXV. 2). In a public action the prosecutor was ordinarily required to be an Athenian citizen with unimpaired civil rights. And with the exception that in special cases advocates (*συνήγοροι*, see *General Note*, XII. 4) were retained by the state, the public interest in the repression of offences against the commonwealth was left to volunteer accusers and to the juries. Says Curtius: "In the Attic free commonwealth it was in truth the mission of every citizen to exercise a control over public life, and to see, so far as in him lay, that no unwarrantable act was allowed to go without its punishment." (*Hist.*, V. pp. 249, 250.)

The proper court in which to bring an action was often determined by the nature of the case, e. g. the Areopagus had jurisdiction in cases of homicide and impiety. Yet the six generals (see XII. § 36) were tried before the assembly for the death of the wrecked at Arginusæ, and Socrates was tried before a dicastery on the charge of introducing new gods, etc. In an ordinary *graphe* the proceedings commenced with a summons to the accused to appear on a certain day before the magistrate. Next came the preliminary hearing (*ἀνάκρισις*), in which the parties respectively made oath to the justice of their cause, settled questions of form, jurisdiction, etc., with reference to the coming trial, and exhibited their evidence. After the anacrisis, the trial came

on at the end of a set time, but might be deferred by legal machinations. The evidence which had been given in was kept meanwhile under seal in the custody of an officer. If the plaintiff dropped his accusation, he was subject to a fine of 1,000 drachms and partial atimia. The indictment was termed *γραφή*, or (particularly in case there were several defendants) *ἀπογραφή*, and the defendant was said *γράφεσθαι*, or *ἀπογράφεσθαι*. At the trial, the aim of the parties was to work upon the jury by the addresses of the orators, as they presented the evidence which had been developed in the anacrisis.

2. *Slaves*. In the commercial cities of Greece slaves were very numerous, performing the work of the artisans and mechanics of modern towns. The number held in Attica was nearly three times the number of the free inhabitants. (See *General Note*, XII. 11.) Many persons kept gangs of slaves to let for all kinds of service. The condition of Greek slaves was more tolerable than that of Roman, and at Athens they seem to have been even more leniently treated than elsewhere. Especially during the Decelean War, b. c. 413–404, when slaves to the number of 20,000, chiefly mechanics, escaped to the Spartan fortress at Decelea, fourteen miles northeast of Athens, the Athenians, to limit the evil, were obliged to adopt the most considerate treatment of their domestic slaves. (Curtius, *Hist.*, III. p. 426.) At all times, however, a person who struck or abused a slave was liable to prosecution, and an abused slave could claim the right of being sold away from a hard master. Neither could a slave be put to death, except by process of law. But he was not permitted to give evidence in legal proceedings, except under torture. Any person might offer his own slave or demand that of his adversary to be examined by torture. The slave, however, was not obliged to be given up, nor was it the general practice so to do, although the refusal of this challenge (*πρόκλησις*) was sometimes regarded with suspicion. The damage suffered by the owner of the tortured slave was guaranteed by the party at whose instance the torture was applied, and this was often done in the presence of an arbitrator (*διαιτητής*, see *General Note*, XXV. 1). The depositions of the slaves were then read at the trial, and those who were present at the torture added their testimony in corroboration.

3. *Ephegesis* (*ἐφήγησις*). This was the converse of the *apagoge* (*General Note*, XXV. 4). When one did not wish to incur the risk of forfeiting 1,000 drachms by an *apagoge* that might be proved

unwarrantable, he could have recourse to the *ephegesis*, conducting a magistrate or officers to the spot where the breach of law was going on, or where the culprit could be found. The cases in which these two kinds of process were common were murder, impiety, theft, ill-treatment of parents, etc.

NOTES.

VII.

ANALYSIS.

PART I.—TECHNICAL REFUTATION OF THE CHARGE, §§ 1–11.
PART II.—DEMONSTRATION OF ITS FRAUDULENCY, §§ 12–43.

I.—A. Introduction, §§ 1–8.

1. The injustice of the accusation, § 1.
2. Its vacillation, § 2, and
3. Its illegality, § 3.

B. Proposition, §§ 4–8: Proof to be furnished.

1. From *what date*, § 4.
2. To *what act*, § 5.
3. Why no further, §§ 5–8.

C. Demonstration: Statement of facts, with the testimony, §§ 9–11.

II.—A. Introductory: The defendant's enemies call him sharp and close in following his own interests, § 12.

B. Proposition: This stamps the charge brought by the present enemy as incredible, § 12.

C. Demonstration, §§ 13–41.

1. From the *general principle* that such acts are not wantonly done. The bringer of such a charge is bound to show the *cui bono* of the act, § 13.

2. From the *particular results* to be expected, §§ 14–18.
 - a. *Negatively*, no supposed advantage to the defendant lay in such an act, nor could he have been ignorant of its consequences, § 14, but
 - b. *Positively*, publicity and punishment were inevitable, § 15.
 - a. Through betrayal by slaves, § 16, or
 - b. Through testimony of tenants, § 17, or
 - c. Through informations from passers-by, or neighbors, § 18.

3. *Conversely*, from the obvious interest of the accuser, which he has neglected, §§ 19–23, which was

- a. Negatively, not bald accusation, § 19, but
- b. Positively,
 - a. To summon passers-by to bear witness, § 20.
Whose absence he absurdly charges to the defendant, § 21.
 - b. Or to call in the authorities, § 22.
The neglect of which legal steps stamps a worthless case, § 23.

4. *Contrariwise*, §§ 24-30.

- a. *What* breach of law self-interest might have tempted to, § 24.
Which the defendant did not commit, § 25.
And therefore cannot, as charged, have run a great risk for nothing, § 20.
- b. *When* a breach of law might have been committed by him with impunity, but was not, § 27.
- c. *Where* such a breach of law would have been most foolhardy, just there he has been charged with it, § 28.
- d. *By whom* such a breach of law, if committed, must have been detected; yet only the accuser seems aware of it, § 29.
All which facts no assertions of enemies should outweigh, § 30.

5. *From the analogy*, §§ 31, 32.

Of his record as a munificent and public-spirited citizen, § 31.
If he would not scrimp where it was safe and profitable, much less would he jeopard everything for nothing, § 32.

6. *From the incongruity of the charge and the evidence*.

A serious case should be settled by strong evidence, rather than by unsupported accusation, § 33.

7. *From the virtual admission of the accuser*, §§ 34-37.

The defendant offered the accuser his slaves to be examined under torture as to the facts, § 34.
Which offer he declined on frivolous grounds, § 35.
Exposing thus the fraudulency of his charge, §§ 36, 37.

8. *Recapitulation of the improbabilities* in the accuser's case, § 38.

Showing him to be a malicious and venal rascal, § 39.
In sorry contrast with his own open and fearless attitude toward all, and set on by the defendant's enemies, § 40.

9. *The outrage contemplated*, § 41.

D. Conclusion, §§ 42, 43.

1. Restatement of the decisive point of the defence (as established in Part I.), § 42.
2. Restatement of three decisive omissions of the accuser (as demonstrated in Part II.), which he must account for, before the court can give him their verdict, §§ 42, 43.

ΑΡΕΟΠΑΓΙΤΙΚΟΣ, supply ΔΟΓΩΣ.

1. — **βουλή**; the full title of the senate of Areopagus was ἡ ἐπὶ Ἀρείῳ πάγῳ βουλή (XII., § 69). Sometimes it was also termed ἡ δώσις βουλή, to distinguish it from the senate of Five Hundred, which held its sessions in the Agora below the hill. See *General Note*, XII. 2, and XVI. 3. — **βουλομένη...δύοντι**; observe the conditional force in each. — **δίκας**, see *General Note*, XVI. 7. — **συκοφάνταις**, see *General Note*, XII. 10. — **ἄστροι...οῖσιν τε**, H., 856, a. — **δειν...λογεῖται**; Francken thinks that this rather extravagant expression comes from some old proverb. So we say, "as innocent as the babe unborn." — **λογεῖται**; for the present infinitive with *μέλλω*, see § 22, and G., 25, 2. — **τοιούτους**; as the present accuser, for instance.

— *οἱ κινδυνοι*, “the [now so frequent] lawsuits,” H., 527, a. With *κινδυνοι* in this sense compare the forensic application of the Latin *periculum*. — *ἀδικοῦσι* has the force of a perfect here, corresponding to *ἡμαρτηκεσιν*, H., 698, *fine print*. G., 10, N. 4.

2. — *ἀγών*, the general word for a legal action of any kind. — *ἄστε ἀπεγράψην*, the expression is condensed from something like the following: “that [I have not even a definite indictment to plead to, for] I was indicted,” etc. — *ἀφανίσαν*, G., 15, 3. — *μοριῶν*, in full, *μοριῶν ἔλασῶν*, § 20, also § 7. — *εντι*, emphatic. The accuser in his address to the court had abandoned the original indictment by charging a different trespass, viz. the removal of a *σηκός*; therefore *φασιν*, referring to a verbal charge, is more appropriate than *προγράφονται*. — *ἀπελύγει*, Rauchenstein’s conjecture for the common *ἀποδεῖξαι*, an unstrained interpretation of which yields a meaning here incongruous. So Cobet.

3. — *διμ' ὑμίν...ἀκούσαντα*; these words belong together. For the accused not to know what he was charged with until he came into court, was not according to due form of law. See *note to κατήγορος καὶ δικαστής*, XII., § 81. — *πατρίδος...οὐρας*; banishment and confiscation were the penalty. — *διμερες*. Having a strong case, the defendant disdains to press the technical point just raised.

4. — *Ἐν μὲν γάρ*, “for this was in fact.” — *Πασάνδρου*, see XXV., § 9, and *note*. — *Ἀπολλόδωρος*. He had taken part in the assassination of Phrynicus (for whom see XXV., § 9, and *note*) just before the downfall of the Four Hundred (see XII., §§ 42 and 66), and had been put to the torture to discover his accomplices. After the restoration of the democracy he was presented with distinguished rewards. See Curtius, *Hist.*, III., pp. 481, 490. — *δι Μέγαρεν*, see *note on Μέγαράδε*, XII., § 17. — *Ἀντικλῆς*, not otherwise known. Thucydides (1. 117) mentions an Athenian general of that name about B. C. 440. — *εἰρήνης*, after the surrender to Lysander, April, B. C. 404. For in the same year he let the place (§ 9) to Callistratus. — *ἀνοδματι*, G., 10, 2. Scheibe reads *ἐνοδόμην*, which lacks the aoristic sense here requisite to correspond with *λαβάν* and *ἔξεισθωσεν*, and Cobet, *ἐνόηματι*, which incurs the same objection. The aorist middle of *ἀνέσματι* is supplied by *ἐνράμψην*.

5. — *τοίνυν*, H., 867, 4, “therefore,” “then,” “now,” a particle of very frequent recurrence in this oration; often used to mark the advance of an argument, “now further,” “but now”; quite seldom the first word of a clause. — *χρόνου*, G., 173. H., 577. Construe with *ζημιούσθαι*. — *δικαλως*; for the involved protasis, see *note on μισεῖσθαι*, XII., § 54. — *δι' ἡμᾶς*, see *note on δι' ὑμᾶς*, XII., § 58.

6. — *τὰ μὲν πόρρω*, i. e. not in the immediate neighborhood of the city. After the occupation by the Lacedæmonians (B. C. 413) of the fortress of

Decelea, fourteen miles from Athens, one third of Attica was in the hands of the enemy. Observe the change of the construction from the *τοῦ τὰ μὲν πόρρω...τέμνεσθαι*, required by the preceding *αἴτιος*. — **διηρτάζει**. Compare XIV., § 33, *ὑμᾶς φεύγοντας Φυλήν καταλαβεῖν καὶ δένδρα τεμεῖν*. The *φύλοι* were all who fought against the Thirty. — **ἄλλως τε καί**, H., 857. A participle or a causal conjunction usually follows. See § 36. — **ἄπρακτον**, “useless,” suits the thought better than **ἄπρατος**, “not sold,” which Cobet reads. For the verbal adjective, see H., 398. — **πλεῖν ἢ τρία ἔτη** = “three years and over,” but less than four; **πλεῖν ἢ** = more than three years, possibly four.

7. — **οὐθαυμαστόν**, G., 49, 2, N. 2. — **τὰ ἡμέτερ' αὐτῶν**, G., 137, N. 1. H., 678, *fine print*. — **ἡδυτάμεθα**, G., 102, 1, N. H., 308, R. a. — **διστροφάλιστα**, G., 188, 2, *fine print*. H., 610, *fine print*. The common text is *ὅτοι*. But that is not the speaker's idea, namely, that *as many* of the court as gave particular attention to such things would understand him, but rather, that *the court itself*, by as much as such things were its special province, would understand.

8. — **καὶ...τῶν αὐτῶν**, “and even when,” etc. — **ἴτεροι**, “if others,” etc. — **ἢ ποι**, see XII., § 35, and *note*, also XXV., § 17. — **ἀφ' ὑμῶν**, construed with **διγνηλούς**. If construed with **πριαμένους**, the preposition would have been **παρά**.

9. — **πολλὰ ἔχων εἰπεῖν**, “though I could say much,” G., 109, 7. — **πρὶν...γενέσθαι**, G., 274. H., 769. — **πρῶτη Πυθοδόρου**, H., 641, b. Pythodorus was First Archon under the Thirty, b. c. 404. After the restoration his name was struck off from the list of archons, and his year, instead of being called, according to custom, by his name, was called “the year of anarchy,” **ἢ ἀναρχία**. He may be the same as the Pythodorus, son of Isolochus, who is mentioned occasionally as a general in the Peloponnesian War (Thuc. III. 115).

10. — **οὐτοσὶ** = “here present.” The persons named in this section are not known; unless, possibly, Proteas be the Proteas, son of Epicles, who was a naval commander in the Peloponnesian War (Thuc. I. 45). — **τρία ἔτη**; the common text connects these words with the foregoing thus: **ἢ τέθηντε ταῦτα τρία ἔτη**. So Cobet and Scheibe. But the death of Alcias is mentioned only to account for his not being among the witnesses, and it was not the time since his death that was of consequence, but the time during which Proteas had leased the ground, as that covered the remainder of the period of the defendant's ownership up to the present. — **διμολῶς**, “in the same condition,” i. e. without trees, as before stated. — **διμοσθέσατο**, H., 689, b.

11. — **δέ χρόνος οὗτος**, i. e. the seven years thus accounted for. — **γεωργῶς**, G., 10, 2. — **Σουνιάδου**, archon b. c. 397, seven years after the lease in

the time of Pythodorus. — ἔργαζόμενοι, *G.*, 16, 2. — μεμεθεμένοι, here pluperfect in signification, *G.*, 18, 4. — οἶν τε...διφανῆς: self-evident, and superfluous for argument, yet not unsuited to a gush of honest indignation. So νομίω...ηγμασθεῖ, § 5.

12. — Here begins the second part of the oration. See *Analysis*. — φάσκοιεν...τηγανάκτουν ἀν, *G.*, 62, Rem. and 30, 2. *H.*, 704. — δανόν, "sharp." — ἀκριβῆ, "close." — ἀν...βουλούμην, Lat. *velim*, *G.*, 52, 2. *H.*, 752. Admirable is the dexterity with which the speaker turns the slur cast upon his character into a strong argument in his favor. See *Analysis*. — τίγησθε, *G.*, 44, 2. — ἔργοις ἀπεχελρουν, *G.*, 187. *H.*, 605. The accusative is more rarely used with this verb. — ἔγιγνερο, supply ἀν. [$\tau\hat{\nu}$]; in Francken's view, this results from a careless repetition of the last syllable of ἔγιγνερο. The article is out of place here, since the participle seems not to have a general reference, but to designate the speaker. — — περιποιήσαντι, Kayser's emendation for the common text ποιήσαντι, which gives no antithesis to διφανίσαντι.

13. — ἀδικήσασιν, compare ἀδικοῦσι, § 1. The aorist is used, because the past commission of the illegal act is the point referred to, rather than the status of an *δῆκος* resulting therefrom.

14. — τοῦ στρκοῦ δύτος, *G.*, 278. *H.*, 790, c. Translate: "by the olive-trunk being there." — οἰκλας, *G.*, 182, 2. *H.*, 589. — κινδύνων, *G.*, 180, 1. *H.*, 584, c. For the article, see *H.*, 527, c. The next words in Cobet's text are as follows: εἰ τι τούτων ἐπράττον. Πολλὰς γὰρ ἀν, etc. — ἐπράττον...ἀποφῆναμι, *G.*, 54, 1.

15. — μεθ' ἡμέραν, *H.*, 645, PHRASES. — ἔξεκοπτον, *G.*; 11, N. 6, an assumed fact. — ἀστερ...δέον, *G.*, 109, N. 9, 110, 2. οὐ belongs to λαθεῖν; translate: "as if it were needless, not to be unobserved by all, but that," etc. — καὶ here = καίτοι. — παριόντων, governed by ἡμελησε. — ἐκινδύνευον, assumed, like ἔξεκοπτον above. Both of these verbs are logically in apodosis to an implied εἰ τι τοιούτον ἐπράττον.

16. — πῶς δ'. As a new argument and a strong one is here presented, we should have expected a more significant connective than the simple δέ, — perhaps καὶ μὲν δῆ, or ἀλλὰ μη...γε, or at least πρὸς δὲ τοστούς. But the artless style befits the simplicity of the speaker. — τοῦς ἔμαυτος θεράποντας; for the position of the genitive, see *H.*, 538, *fine print*. θεράπων is the general word for one who renders any service; δούλος is a person in a permanent condition of servitude; ὑπηρέτης (XII., § 10) is a subordinate official, or in general an assistant. — συναδότας, *G.*, 109, 4. — εἰ κατ., *H.*, 874, 2, a. — ἐν' ἐκένοις, "that it was in their power both to take revenge on me, and by informing against me to become free themselves." — μηνύσασιν, *G.*, 109, 2. — ἐλευθέροις γενέσθαι, see ἐξάρνοις γενέσθαι, and *note*, XII., § 31.

17. — κινδύνῳ construed with οὐσης. For the asyndeton (*H.*, 854), com-

pare XVI., § 16, ἐμβαλάντος ψηφισαμένων. — τοῖς εἰργασμένοις...προσήκον, “it being alike incumbent on all those who had worked the place.” — εἶχον, G., 44, 3.

18. — οἵσεις τ', G., 151, N. 4. H., 814. — ἀλλήλων depends on ταῦτα. — ἀποκρυπτόμενοι, G., 200, N. 2. H., 702, *fine print*. — καὶ, “even.” — πινθάνονται, “find out.” — περὶ τῶν ἔμων, probably in regard to such matters as boundary lines, right of way, the trespassing of cattle, etc. The implication is, that if the defendant had really done anything which an enemy could take hold of, there were not wanting neighbors who would have availed themselves of the opportunity against him.

19. — οὕτος qualifies the whole phrase, τολμηρὸς...ποιεῖσθαι. — ἔτεμνον, imperfect, because the cutting was done, as charged, *while* the defendant stood by. — ἀναθίμενος, i. e. upon the cart, ἀμάξα. — ὥχετο ἀπάγων, G., 279, N. See XII., § 75. Compare the colloquial English, “went and carried” = simply “carried.”

20. — Νικόμαχε; the Nicomachus against whom Lysias wrote Or. XXX. had held office before the time of the Thirty Tyrants, but this Nicomachus, is evidently (see § 29) a different person. — μάρτυρας, predicate-accusative, G., 166, N. 2. H., 556, a. — ἐν...τρόπῳ, the preposition is not necessary, G., 188. H., 608. — ἔβούλου...θάβεις; what difference here in the signification of the imperfect and aorist?

21. — πεισται, instead we might have had πεισας, agreeing with the subject of ἥγοιμην, or πεισαντι, agreeing with μοι. — ὅπδος...θυνάμενος, H., 656, c.

22. — φήμας μ' ἰδών; the common text is φήμας μ' ἰδεῖν, to which Rauchenstein objects that φήμας is hardly a demonstrable Attic form: φήμας is the proper term for informing against a person before a magistrate. — τοὺς ἄνδρας δρχοντας, that is, any one of them, but specially the king-archon is meant, who had jurisdiction in such cases. See *General Note*, XII., 1. — ἐπήγαγες, see *General Note*, 3. — οὕτω, the common text, for which Rauchenstein reads οὕτοι. But οὕτω is preferable on account of the implied protasis, G., 52, 1, as the argument has been proceeding on the ground that it would have been better for Nicomachus to do so and so. — συνήθεσταν...λέγοντι, “would have known that you spoke the truth.”

23. — δεινότατα...θορ; “now I am very strangely treated, inasmuch as.” — πιστεύειν, subject ὑμᾶς understood. — οὐκ εἰστιν: whenever εἰσιν “signifies actual existence, it retains the tone. The 3 sing., especially, then takes the tone on the first syllable.” *Buttmann's Gr.*, § 108, IV. 3. — αὐτῷ ἐμοι: observe the juxtaposition of these pronouns in sharp antithesis. — ταῦτην τὴν ἡγμίαν, the common text, which Scheibe retains, while Rauchenstein and Cobet omit τὴν. If τὴν be omitted, ταῦτην is subject and ἡγμίαν predicate to γενέσθαι, ταῦτην being attracted from τοῦτο, as in XXV., § 18 (see *note*). If τὴν be retained, — and there appears no con-

clusive reason for the omission, — then τ. τ. ξ. is simply the subject of γενέσθαι. — τούτον, masculine, not neuter; as the μέν shows the pronoun to be in antithesis with the following οὐδὲ δ'. — δέπον, see XII., § 27, and note. — συκοφαγτῶν, participle. — ἀπορήσει; for its position between the two genitives, compare note on δέξαντ', XXV., 24. Cobet reads εὐπορήσει.

24. — τεθλη; this was the broad "Athenian Plain," watered by the Cephissus, and stretching westward of the city to that Mount *Ægaleos*, from which Xerxes witnessed the battle of Salamis, and on the farther side of which lay the plain of Eleusis. This central plain of Attica, in the midst of which the city stands, extends N. to Mt. Parnes, with its celebrated fortresses of Phyle and Decelea, N. E. to Mt. Pentelicus, famed for its marble, and S. E. to Mt. Hymettus, noted for its honey. "The plain of Athens is barren and destitute of vegetation, with the exception of the long stream of olives which stretch from Mt. Parnes by the side of the Cephissus to the sea." Smith's *Dict. Geog.* — πυρκαϊάς; probably trees which, after being burnt, had sprung up as wild olives. See Virg. *Geor.*, II. 303—314:

"Infelix superat foliis oleaster amaris."

— ἐπεργάσασθαι, "to encroach upon," i. e. by tillage. See *Introd.* — ήπτον qualifies δῆλον.

25. — τερι πολλοῦ ποιοῦμαι, "I prize." *G.*, 10, N. 1; comp. ποιοῦμαι... ἡγοῦμαι, § 26. — τὴν ἀλλην: for the *appositive* use of ἀλλος, see H., 538, e. Compare Xen. *Anab.*, I. 5, 5: οὐ γὰρ ἦν χρήσις οὐδὲ ἀλλο δένδρον οὐδέν. The thought is: I cared for those trees as for my country and fortune, considering that, if I trespassed, my risk involved both of these. — μηνός, referring to their monthly meetings.

26. — οὕτω...ποιοῦμαι, "care so much for." — ποιοῦμαι...ἡγοῦμαι, see note on ἡγοῦντο...ἐποιοῦντο, XII., § 7. — ξέρην...οἰόν τ' ἦν, *G.*, 49, 2, N. 3. — ἀφανίων; Rauchenstein reads ἀφανίω, ὡς νυνὶ κρίνομαι. But the common text corresponds better with the parallelism of the whole sentence, and specially with οὕτω θεραπεύων φαίνομαι. The interrogation begins at καὶ τὰς μέν, — μέν signifying "while," or "seeing that." Compare note on μαχομένους μέν, XII., § 79.

27. — Πότερον δέ, a new argument. For the introductory δέ, compare note on τῶς δ', § 16. — παρανομεῖν; for the position, see note on ἀπορήσει, § 23. — οὐ λέγω ἀς, "I do not mean that." The remark just made had to be guarded against an unfavorable inference. The course of thought requires δυνάμενος to be taken absolutely, in the sense of "influential," as in XXV., § 14, οἱ τότε δυνάμενοι. — μᾶλλον ξέρην, all the more since the authority of the Areopagus remained in abeyance during the tyrants' time. Compare XXV., § 16.

28. — Πῶς δ', a new argument, still introduced by the insignificant δέ.

— ἐκ τούτου, observe the emphatic position. — ὡς...εἶναι, “as this man says there was,” G., 15, 3. — τίς δὲ ἀπερόμησε; “who would have had the foolhardiness?”

29. — **Δεινόν**, “strange.” — ἐπιμελεῖσθαι; for the omission of the article τό, see G., 91. — ἐπιμελητής; the relation of the ἐπιμεληται to the γράμμονες is uncertain, but it is not unlikely that the former were a committee of the Areopagus upon all matters pertaining to the olive-trees, and that the γράμμονες, or inspectors, made their reports to them. — εἰδέναι, G., 92, 1, N. 2. ὅτε might have been prefixed, G., 266. H., 770. — ἀπογράψαι; Rauchenstein prefers to read ἀπογράψασθαι, on the ground that the middle is the proper technical term for an *indictment*, while the active rather means to *inform against*. This does not seem sufficient ground for changing the common text, the technical distinction being of no importance in the argument, which is, simply, that the accuser claimed to have made a discovery which he was the last man in the world to have made.

30. — **λόγους**, “accusations.” See XII., § 2, and XXV., § 2. — **ταῦτ’**, here emphasized, depends on λεγότων. — **ἀνασχέσθαι** may govern either a genitive or an accusative. — **ἐνθυμουμένους** ἐκ, the participle agrees with the omitted subject of the preceding infinitives. Translate: “drawing your considerations from.” Compare a different construction, giving a different sense, in XVI., § 20. — **πολιτείας**, “my conduct as a citizen.”

31. — **προθυμότερον...ώς**; ὡς must be translated here like ή. Cobet and others insert ή before ὡς. Buttmann, *Gr.*, § 149, 7, remarks: “Less accurately, and with a certain anacoluthon, instead of ή, after *comparatives* we find ὡς (*ἴσον, οὐλον*).” — **ἡγαγκαζόμην**, see XX., § 13, and *note* on **προσταττομένων**. — **τριπαρχῶν...πολιτῶν**, see XXV., § 12, and *notes*. Compare also XII., § 20. — **οὐδενὸς ἥπτον**; the negative belongs to the adjective.

32. — **ποιῶν**, equivalent to *εἰ ἐποίουν*, referring to the actions as habitual; while the aorist would refer to them as past occurrences. — μή qualifies an implied **ποιῶν**. — **τῆς μᾶλλης**, see *τ.ν διλληρ*, and *note*, § 25. — **πράξας**, observe the force of the aorist in contrast with **ποιῶν**, above. — **ἐκέρδαινον**, *δι* omitted. Compare **ἔνοχος** ήν, § 37. — **καθίστην**; the other co-ordinate tenses being imperfect with reference to time present (**ἡγωνιζόμην** = “should be on trial”; **ἐκέρδαινον** = “should be gaining”), this tense, which might naturally have been an aorist like **πράξας**, follows suit by a kind of assimilation, and = “should be endangering myself,” i. e. as the facts came out in the present trial. Compare **συνελάμβανες**, and *note*, XII., § 26.

33. — **μεγάλων**, i. e. such important interests as home and fortune, § 25. — **περὶ δὲ...μαρτυρεῖ**, H., 810; this clause stands as the direct object of **ἡγεῖσθαι**, which has **πιστόντερα** for predicate-accusative. — **μᾶλλον**, pleonastic, H., 665, b. — ή **περὶ δὲ**, the regular form would be ή **δὲ...κατηγορεῖ**, but Lysias, as often, prefers to parallel the preceding construction. Com-

pare note on *αἰσθάνεσθαι*, XXV., § 23. — *κατηγορεῖ*, in *homoeoleleton* with *μαρτυρεῖ*. See XXV., § 24, *τοντίας*, and *note*.

34. — *σκέψασθε*, H., 495. — *ἔχων*, G., 109, N. 8, last clause. — *πάντες*, emphasized by its position, since the value of the proposal lay in this word. — *βασανίζειν*, see *General Note*, 2. — *οὐτες*, G., 52, 1. — *λόγον...* *ἔργον*, a contrast repeatedly made prominent in this oration, see §§ 21, 30, 33, 43. This was one of Lysias's characteristic points as a reasoner. See also XII., §§ 5, 33, XVI., § 19, XXV., § 13.

35. — *οὐδέν*, H., 848, a. — *θενόν...* *εἰλοττο*; a difficult construction. Rauchenstein conjectures, unnecessarily, that *εἰλοττο* has been substituted for *εἰλοττο*. Logically, this belongs to the protasis introduced by *εἰ μέν*. But *δε* marks *εἰλοττο*, in form at least (comp. G., 49, N. 4, b), as an apodosis to some *implied* protasis after *περὶ δε*; but [should they so accuse themselves] they would have chosen to shield their hated masters, etc. H., 886. Compare G., 49, 2, N. 5. — *περίφαση*, G., 200, N. 6. H., 712.

36. — *καὶ μὲν δε*, XII., § 30, *note*. — *συναθίνειν*; some such participle as *δόκιμων* (or *δόκιμοντι*, G., 113, N. 6) may be supplied. — *παραδίδοντος*; this expresses the *offer*, rather than the actual delivery, G., 10, N. 2. See *ἀποκριτήμενοι* and *note*, § 18. — *σχέν*, “to form”; H., 708: “to hold an opinion” is *γνώμην* *ἔχειν*, §§ 12, 23. See also XXV., §§ 1, 3. — *ἄλλως τε καὶ*; see § 6, and *note*.

37. — *περὶ ἵμον...* *τούτῳ*; notice the emphatic position of each of the contrasted pronouns. — *ἴνοχος ήν*, G., 49, 2, N. 2. Compare *ἐκέρδανον*, § 32. But if slaves were subjected to torture *on demand* of the opposite party, he had to indemnify the owner. — *πολὺ...προσήκειν*, “it was much more *his duty* to accept, than *my interest* to offer.” — *εἰς τούτο προθυμίας*, i. e. the challenge to examine the slaves. — *μετ' ἵμον*, “for my advantage.” — *μαρτύρων*; Rauchenstein changes the common text here to *μαρτυριῶν*.

38. — *ἐνθυμεῖσθαι δὲ χρή*. How does this tense present the conception of time as contrasted with that in *ἐνθυμηθῆναι* δὲ. *χρή*, XXV., § 21? — *οἰς*, referring to himself as representing a *class*, who, with strong evidence in their favor, are audaciously accused by sycophants. — *τετόλμηκε*; supply *μαρτυρεῖν*. — *καὶ πέτερον*; before these words supply *ἐνθυμεῖσθαι χρή*. — *αἰτιάσασθαι*, the common text, preferable to Kayser's emendation *αἰτιάσθαι*, which Rauchenstein adopts. See G., 23, 2. But the connected *βοηθεῖν* is present, because denoting the continuous action of the accuser in endeavoring to make good his *alibi*.

39. — *ἀγόνα*, G., 159. H., 547, a. — *ώς* belongs to *ἐλπίζων*. — *δοφ*, see *δοφ μάλιστα*, § 7, and *note*. — *ἀποράτατο τῶν κινδύνων*, literally, “completely without means to extricate themselves from dangers,” is equivalent to our colloquial phrase, “hard up.” — *τούτῳ* = *τοσούτῳ*.

40. — *παρέσχον ἤματόν*, H., 688, a. So in § 41. — *διηλλάγην*, so strong

was his case that he felt no need of gaining favor. — *οὐ...έπαινοῦσι*, a strong remark, showing the honest farmer himself to be “a good hater.” — *καὶ φανερός*; *καὶ* here, as in § 15, = *καίτοι*.

41. — *γενούμην, εἰ...καταστήσομαι*, *G.*, 54, 1, b. — *ναυμαχίας...μάχας*, a customary argument, especially of those who lacked stronger ones. See XXV., § 12. — *κόσμιον*, the common term for, as we say, “a respectable citizen.” See XVI., § 18; XII., § 20. — *ἐν δημοκρατίᾳ*, see XXV., § 7, and *note*.

42. — *Ἄλλα γάρ*, *H.*, 870, d, see XII., § 99, supply *παύσομαι λέγων*. — *ἐνθάδι*, speakers before the Areopagus were expected to keep to the facts, with less latitude of appeal than in other courts. — *ἀπέδειξα δέ*; *δέ* here = “for,” as in XII., § 68, *ὑπέσχετο δέ*. — *ἐπ' αὐτοφάρῳ*, i. e. by the *ephegesis*, § 22. See *General Note*, 3.

43. — *πιστὸς γενέσθαι*, *H.*, 398, “to be believed.” — *ἴργοις*; because witnesses would have given his words the weight of facts. — *ἀδικοῦντα*, supply *με*. — *διδόντος*, see *note* on *παραδίδοντος*, § 36. — *φησὶ παραγενέσθαι*, see § 19.

ADDITIONAL NOTE.

It is open to question whether the unusual *γνώμην σχεῖν* of § 36 may not have arisen from a misreading of an original *ξχεῖν*, through the similarity between *ε* and *ξ*, an ancient form of *Σ*. I am indebted for this suggestion to my learned friend Dr. Ezra Abbot, of Cambridge.

A TABLE

Showing the variations of RAUCHENSTEIN's text from that of
C. SCHEIBE (*editio altera aucta et emendata*), as published by
TEUBNER, 1874.

Scheibe's reading stands first in each passage.

XVI. 2. ἡ κακῶς — []. 3. ἐπιδεῖξω — ἀποδεῖξω...οὐτ' ἐπεδήμουν — [].
4. καθαρουμένων — *add* ἐπεδήμουν. 5. σχόντες — ἔχοντες...καὶ τοὺς μηδίν — ὅτ. τοῖς. 6. ἐπιγεγραμμένοι — ἐγγεγραμμένοι. 7. παραλαβόντα — καταβαλόντα. 9. ταῦτης — αὐτῆς. 11. ἡ περὶ τάς — ἡ ἐτέρα. 13. πρὸς τοὺς Βουλεύους — [] τούς...εἰναὶ δεῖν — [] δεῖν. 15. ἐνθανόντων — ἀποθνήτων...δυτερον — δυτερος...Στειρέων — Στειρώς. 18. τολμῷ — κομῷ. 19. περιερχόμενοι — ἀμπελούμενοι. 20. τῶν τῆς — τὰ τῆς. 21. τούτους — τοὺς τοιούτους.

XII. 3. ποιήσωμαι — ποιήσομαι. 5. πονηροὶ μέν — [] μέν...φάσκοντες δέ — ὅτ. δέ. 6. τὴν δ' ἀρχήν — τὴν ἀρχὴν δέ. 11. ὀμολόγησα — ὀμολόγητο...ἀργυροὺς τέσσαρας — ἀργυρῶν τέτταρας. 12. δτη — δποι...εἰς τοῦ ἀδελφοῦ — εἰς τάδελφοῦ. 15. ἡγούμην μέν, εἰ — ἡγούμην, εἰ μέν. 18. οθδεμᾶς — *prefix* [έξ]...κλιστον — κλειστον. 20. οὐκ ἄν — οὐδ' ἀν. ...πάστας — πάσας μέν...λυσαμένους· τοιούτων — λυσαμένους τοιούτων. 21. τῆς πόλεως — []. 25. ἐγίνοντο — ἐγίγνοντο...“Ινα μὴ ἀποθάνωμεν: — “Ινα ἀποθάνωμεν ή μὴ ἀποθάνωμεν; 26. ἀποκτένειας; — ἀποκτείνειας...δούναι — *prefix* [δεῖν]. 27. ἐτελεῖ τοι τῷ...ἐπειτα τῷ...[ἐναντιαν] γνώμην — ὅτ. [ἐναντιαν]. 28. ὑμᾶς εἰκός — *transpos.* 30. σώζειν τε αὐτὸν καὶ — σώζειν αὐτὸν κατά...πάντες — πάσιν...31. οἶν τ' — οἶντ'. 34. ἐτύχετε — ἐτυγχάνετε...ἀπεψήφισασθε — ἀπεψήφιζεσθε. 35. τιμωρουμένους — κηδομένους. 38. ἐστι — ἐστιν...φίλας — φίλας. 39. ήν τίνα — ήτινα. 40. οἰς τῆς — οἰς τὰ τῆς. 41. ὑπὲρ αὐτῶν — ὑπὲρ αὐτοῦ. 42. ἐπραττε — ἐπραττεν. 44. ψηφίσαισθε — ψηφιεῖσθε. 45. γάρ καὶ — γάρ [καὶ]. 48. ἔχρηιν ἄν — [] ἀν...γίνεσθαι — γίγνεσθαι. 50. τῷ λόγῳ — τοῖς λόγοις. 51. δπότεροι — *add* [μένοι]. ...δρξουσι — δρξουσιν. 52. εἰ γάρ — καὶ γάρ εἰ...κάλλιον ἄν — [] ἀν...ἐγίνοντο — ἐγίγνοντο. 55. δ τῶν τριάκοντα γενόμενος — []. 56. οἰς καὶ — ψ καὶ...θάσσον — θάττον. 57. ἀδίκως ἐφευγον, ὑμεῖς δικαίως — δικαίως ἐφευγον, ὑμεῖς ἀδίκως...ἀδίκως, οἱ τριάκοντα δικαίως — δικαίως, οἱ τριάκοντα δίκιως. 62. παραστῆ — προστῆ. 66. γνωμένους — γιγνωμένους. 67. ἀπάλεσε — ἀπώλεσεν. 68. αὐτῷ — αὐτῷ 71. λεγόμενος — ὀμολογημένος. 72. ἀπειλος — δια-

πειλότο. 75. Σὲ φχοντο — δ' φχοντο. 76. παρηγγόλετο — παρήγγελτο. 77. Σὲ αὐτόν — δὲ αὐτῷ....πιστεις αὐτός — πιστεις αὐτοῖς. 78. Ηδη — δίς. 79. τουτον — τούτου....μαχομένους [μέν] — οτι. []. 81. Κατηγόρηται θή — Κατάγωτε θέ. 82. ἀκρίτους ἀπέκταναν — *transpose*. 83. δημεύσαιτε — δημεύσετε....οἰκλας — *prefix* τάς. 84. παρ' αὐτῶν — *add* [άξιαν]. 85. τόν [τε] πεπραγμένων — οτι. []. 86. ξυνερούντων — συνερούντων. 87. τὸ ὑμέτερον τλήθος — τοῦ ὑμετέρου πλήθος. 88. ἀπωλέσασιν — ἀπωλέσασι. 89. ρέδιον — ρέων. 90. δεῖξατε — δείξετε. 98. γίνεται — γίγνεται. 99. [οὐδέν] — οτι. []. 100. καταψήφιεισθαι — κατεψήφισμένους ἔσεσθαι.

XXV. 1. οἱ σαφῶς — καὶ σαφῶς....ζητοῦσι — ζητοῦσιν....κρδαίνειν ή — []. 2. δμοθ — [πάνθ δμοῦ]. 4. ἀποφανώ — ἀποφήνω. 5. τεκμήριον — *prefix* [έμοι]. 7. δημοκρατίας — *prefix* οδος....κάγῳ περὶ ἡμαυτοῦ τίν ἀπολογίαν ποιήσομαι, ἀποφανών — []. 9. προστάντας — προστάτας....μετεβάλοντο — μετεβάλλοντο. 10. ζητοῦντας — ζηλοῦντας....οὔτως — οὕτω. 11. τὰς τούτων — τὰς περὶ τούτων. 12. ης τινος — ηστινος. 13. γίνοιτο — γένοιτο....ἀλλὰ [καὶ] ἐκ — ἀλλὰ ἐκ. 14. οὔτως — οὕτω. 19. τῶν δλιγων — [] τῶν....κοινὰ γίγνεσθαι — *transpose*. 20. περὶ ὑμῶν αὐτῶν — []. 22. Σὲ πυνθάνοισθε — δ' ἐπινθάνεσθε....δὲ ἀλλοις — *transpose*....ὑπὲρ ἡμῶν — ὑπὲρ ὑμῶν. 27. διετέθητε τούς — διετέθητε ὅστε τούς....γίνεται — γίγνεται....πολλάκις χρῆσθαι — οτι. πολλάκις....πειθομένοις — *prefix* πολλάκις. 29. ἐν δλιγαρχίᾳ καὶ ἐν δημοκρατίᾳ — ἐν δημοκρατίᾳ καὶ ἐν δλιγαρχίᾳ. 30. ὑποφίλαν — ὑποφίλας. 31. οὔτως — οὕτω. 32. καὶ τούτων — καίτοι τούτων. 33. τῶν ἐκ Πειραιῶς κινδύνους — ἐκ Πειραιῶς [κινδύνους]....σωτηρία — σωτήρια....ἐπιλύσεσθαι — ὑποδύσεσθαι....τὸ αὐτὸν πάντες — τοῦτο ἀυτὸν δείσαντες. 35. εἰς ὑπο... — εἰς ὑποψίαν καταστήσετε...

VII. 2. οἰόμενοι — ἥγούμενοι. 4. τῶν θντων δ' ἐκείνου — δὲ τῶν ἐκείνου....ἴωνούμην — ἀνοῦμαι. 5. μυραι — μοραι. 6. πλεῖον — πλεῖν. 7. δσοι — δσφ. 10. ειργάσατο ἐνιαυτόν — οτι. ἐνιαυτόν....τεθνηκε ταῦτα τρία ἔτη · δμοιως — τέθνηκε · κάτα τρία ἔτη δμοιως. 12. ηγίνετο — ἐγίγνετο. τῷ ἀφανίσαντι — [] τῷ...τῷ ποιήσαντι — [τῷ] περιποιήσαντι. 13. ηγίνετο — ἐγίγνετο. 14. παρ' ὑμέν — παρ' ὑμῶν....κινδύνων, εἰ τι τούτων ἐπραττον. πολλάς — κινδύνων. ἔγώ δέ, εἰ τι τοιούτον ἐπραττον, πολλάς. 16. οἴόν τε ήν δικην με — οἴός τε ήν δικην....εἰδείην — ηδειν. 17. σφον — σῶν....παρέδοσαν. — παρέδοσαν; 18. [τοὺς παριόντας ή] — οτι. []. 22. φήσας μ' ίδειν — φήρας μ' ίδων....οὔτω — οὕτωι. 23. δς — δσφ....ταῦτην τήν — ταῦτην....τοιούτων γε — τοιούτων τε. 25. καὶ τὴν πατρίδα — []....ξημίσεν — ξημιλώσε μ'. 26. ὡς ἀφανίζων νυνὶ κρίνομαι; — ἀφανίζω, ὡς νυνὶ κρίνομαι. 27. τοιούτο — τοιούτον. 29. ξημίσομαι — ξημιδόσαι με....ἀπογράψαι ἀπογράψασθαι. 36. ξυνεδέναι — συνειδέναι. 37. Ηλεγχον — Ελεγον, & οὕτος ἐβούλετο....ἀμολόγουν, & οὕτος ἐβούλετο — ὡμολόγου....μαρτύρων — μαρτυριών. 38. αιτιάσασθαι — αιτιάσθαι. 39. τοσούτῳ — τούτῳ. 41. θθιέτατος ἄν — *transpose*.

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